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Agrahayana 30, 1886 (Saka)

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LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA

Monday, December 21, 1964/Agrahayana 30, 1886 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

MEMBER SWORN

Mr. Speaker: Secretary may call out the name of the Member who has come to make and subscribe the oath or affirmation under the Constitution.

Secretary: Shri Lahtan Choudhry.

Mr. Speaker: The Minister of Parliamentary Affairs may introduce the Member to the House.

The Deputy Minister in the Ministry of Information and Broadcasting (Shri C. R. Pattabhi Raman): Sir, on behalf of the Minister of Parliamentary Affairs, I have great pleasure in introducing to you and through you to the House Shri Lahtan Choudhry who has been returned to Lok Sabha from Saharsa constituency of Bihar in the vacancy caused by the election of Shri B. N. Mandal having been declared void.

Shri Lahtan Choudhry (Saharsa).

ORAL ANSWERS TO QUESTIONS

संयुक्त राष्ट्र संघ से काश्मीर का मामला वापस लेना

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*588. श्री प्रकाशवीर शास्त्री :
श्री जगदेव सिंह सिद्धान्ती :

क्या **वैदेशिक-कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार का विचार संयुक्त राष्ट्र से काश्मीर का मामला वापस लेने का है; और

(ख) यदि हां, तो कब ?

वैदेशिक-कार्य मंत्रालय में राज्य-मंत्री (श्रीमती लक्ष्मी मेनन) : (क) जी नहीं ।

(ख) प्रश्न नहीं उठता ।

श्री प्रकाशवीर शास्त्री : पिछले 17 वर्षों से संयुक्त राष्ट्र संघ में यह काश्मीर का मामला हमारा खटाई में पड़ा हुआ है । संयुक्त राष्ट्र संघ में जिन राष्ट्रों का विशेष रूप से प्रभुत्व है, इंग्लड और अमरीका का, उनकी सहानुभूति पीछे जब जब भी काश्मीर का प्रश्न उठा है, तो पाकिस्तान के पक्ष में रही है । इन सारी स्थितियों को देखते हुए भारत सरकार कब तक इस प्रश्न को संयुक्त राष्ट्र संघ में रखना चाहती है ? कोई निश्चय उसने इस सम्बन्ध में किया है क्या ?

Shrimati Lakshmi Menon: Sir, this question has been raised since 1952 and the late Prime Minister had given a categorical answer that it was not possible to withdraw the subject from the Agenda of the United Nations. He had pointed out that there is no procedure by which a subject once entered and which remained on the Agenda could be withdrawn and that the only alternative would be for India to withdraw from the United Nations.

श्री प्रकाशवीर शास्त्री : मेरा कहना यह था . . . .

अध्यक्ष महोदय : उन्होंने आपका सवाल समझ लिया है और जवाब भी आ गया है ।

श्री प्रकाशवीर शास्त्री : अभी पीछे आजाद काश्मीर में पाकिस्तान ने जो परिवर्तन किया है, आजाद काश्मीर के नेताओं को

गिरफ्तार करके, उनके झंडे और सब चीजें हटा करके विधिवत् पाकिस्तान ने जो उसे अपने अधिकार में कर लिया है तथा भारत सरकार ने पाकिस्तान को जो इस सम्बन्ध में विरोध पत्र भेजा उसका पाकिस्तान ने उत्तर तक भी नहीं दिया, तो क्या भारत सरकार ने संयुक्त राष्ट्र संघ में काश्मीर के उस भाग के सम्बन्ध में भी कुछ अपना निवेदन भेजा है, यदि हां, तो संयुक्त राष्ट्र संघ की उस पर क्या प्रतिक्रिया रही ?

अध्यक्ष महोदय : आप का यह सवाल मूल प्रश्न में नहीं आ सकता है ।

Shri Hem Barua: May I know if it is not a fact that Pakistan has lodged a complaint with the U.N. Security Council saying that India's decision to extend the constitutional provisions of Articles 356 and 357 might result in disastrous consequences; if so, may I know whether the Government think that it would be possible to extend those articles and integrate Kashmir with the rest of India without withdrawing the Kashmir case from the U.N.?

Mr. Speaker: Now he wants to connect it by using the last words of his question.

Shri Bhagwat Jha Azad: Sir, India went to the United Nations against the aggression by Pakistan. Since during the last 17 years the powers of the United Nations have changed the entire nature of the complaint, does the Government think it proper that it should be treated as dropped?

Mr. Speaker: She says that it is not possible; we can withdraw but the case cannot be withdrawn.

Shri Harish Chandra Mathur: Is it not already the conclusion of the Government of India that this question can be settled only by mutual negotiation between India and Pakistan? If it is so, is it also the conclusion of the Government of India that the United Nations can serve no useful purpose in the settlement of this question?

Mr. Speaker: What are we to do then?

Shri Harish Chandra Mathur: I do not say what we should do. I am just asking whether it is the conclusion of the Government or not.

Shrimati Lakshmi Menon: It is the understanding that all problems between countries can be settled amicably by mutual negotiation. This matter was referred to the United Nations by us.

Shri Harish Chandra Mathur: I do not object to your referring the dispute to the United Nations.

Shri Bhagwat Jha Azad: Because we referred it to the United Nations, we want to know whether it is our view that no useful purpose would be served by continuing to have it in the United Nations.

Shri Harish Chandra Mathur: It is too late to ask why we have referred the dispute to the United Nations and I quite appreciate the answer given that it is not possible to withdraw it now. May I know whether the Government has also come to this conclusion that this can only be settled between India and Pakistan by negotiation and that the United Nations Organisation can be of no assistance whatsoever in the matter of its settlement and, if they have come to this conclusion, have they made it known to Pakistan and other powers?

Shrimati Lakshmi Menon: The series of negotiations that we carry on with Pakistan must convince the member that this is the conclusion that the Government have already arrived at, namely, that whatever be the conflicts that exist between India and Pakistan, they can be settled amicably only by mutual negotiations. But that does not mean that it is possible for us to withdraw this subject from the agenda of the United Nations.

श्री जगदेव सिंह सिद्धान्ती : उनके कहने से तो यह पता चला जैसे नदी में बहता हुआ किसी ने रीछ पकड़ लिया, रीछ छोड़ता नहीं तथा अपने आप वह छोड़ सकता नहीं। आप कृपा करके यह बतायें कि क्या इससे भारत सरकार की नीति शून्यता का पता नहीं चल रहा है ?

अध्यक्ष महोदय : यह अपनी ओपिनियन आप रखें ।

Shri Hari Vishnu Kamath: Considering the fact that this issue has been hanging fire or has been in a state of suspended animation for over twelve years, has the Government received any reports or has had any indications that since the unholy alliance of Pakistan with China there has been a change of attitude on the part of a number of member States in the Security Council and in the General Assembly in favour of India and against Pakistan on the Kashmir issue?

Shrimati Lakshmi Menon: What is the question?

Shri Hari Vishnu Kamath: You could not follow it?

Mr. Speaker: It is rather an abstract proposition which could be answered but it does not relate to the withdrawal of the case. Next question.

Shri Hari Vishnu Kamath: You have allowed questions which do not strictly pertain to the withdrawal of the Kashmir issue, which is hanging fire, which fact is the crux of the matter, and it may continue to hang fire for another decade or so.

Mr. Speaker: We are helpless.

Shri Hari Vishnu Kamath: Have they got any reports to the effect that a number of States in the United Nations are, since the unholy alliance of Pakistan with China, in favour of India on this issue?

Shrimati Lakshmi Menon: We have no information.

Economic Development Plan of Afro-Asian Countries

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*589. **Shri Surendra Pal Singh:**
Shri Shree Narayan Das:
Shrimati Renuka Barkataki:
Shri P. Venkatasubbaiah:

Will the Minister of **External Affairs** be pleased to refer to the reply given to Starred Question No. 162 on the 14th September, 1964 and state:

(a) whether the Inter-ministerial Committee set up to assess the requirements of the developing countries of Asia, Africa and Latin America has made any proposals for promoting technical and economic cooperation with these countries and to expedite their implementation; and

(b) if so, the important features of those proposals?

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): (a) The Inter-ministerial Co-ordinating Committee on Technical and Economic Cooperation has been set up to:

(i) Assess the long-range requirements of the under-developed countries of Asia, Africa and Latin America in the light of their trade and development programmes.

(ii) Study selected problems relating to the development of commercial relations between India and the regions mentioned in (i) above.

(iii) Recommend measures to promote economic and technical cooperation between India and the countries of Asia, Africa and South America.

(b) Various proposals are still under consideration of the Committee.

Shri Surendra Pal Singh: Is it a fact that India and the UAR have entered into an agreement to collaborate in extending financial and technical help to the developing countries

of Africa and, if so, has that agreement been given effect to anywhere and, if so, in what shape and form?

Shri Dinesh Singh: We have not entered into any agreement with UAR to extend technical collaboration to other parts of Asia and Africa.

Shri Surendra Pal Singh: Have the Government any reasons to believe that there is a determined effort on the part of China in those countries to persuade them not to accept any technical or financial help from India or rather to eschew it?

Shri Dinesh Singh: I do not know whether there is any effort on the part of China to persuade them not to accept aid from India but they are very keen that they should accept aid from China.

Shri P. Venkatasubbaiah: May I know whether, in extending our co-operation, both economic and otherwise, there is an agreement that is being entered into with these countries regarding sending of our technical personnel to those countries so as to help them to make an advancement in the economic matters?

Shri Dinesh Singh: Whenever the country asks us, we send our technical experts.

Shrimati Savitri Nigam: In view of the fact that the Asian, African and Latin American countries have been suffering a lot of economic loss because the prices of raw materials are going down and the prices of finished goods are rising up, may I know whether this question has been discussed in this Conference or not?

Shri Dinesh Singh: I have not mentioned of any conference.

श्री यशपाल सिंह क्या भारतीय उद्योगपतियों से कहा गया है कि वे इन कंट्रीज में जा कर अपनी इंडस्ट्रीज कायम करें ।

अध्यक्ष महोदय: यह तो इंटर मिनिस्ट्री कमेटी थी ।

Shrimati Savitri Nigam: I meant this Ministerial Committee. I wanted to know whether this question has been discussed or not. He should have understood it.

Shri Dinesh Singh: I gave the objects of this Committee. The question of prices is not directly the concern of the Committee as such. It is only going to extend the cooperation to these countries.

Shrimati Yashoda Reddy: Does the hon. Minister know that China is very anxious that these countries take more technical help from China and, if so, because of these efforts, has the Government of India felt any lessening of demand or any such reaction from these countries as far as our help is concerned?

Shri Dinesh Singh: No, Sir.

श्री भागवत झा आजाद : क्या यह बात सच है कि चीन ने लम्बी अवधि की आर्थिक और तकनीकी सहायता एशियाई अफ्रीकी देशों को बहुत काफी दी है या देने का वादा किया है । अगर यह बात सच है तो इस पृष्ठभूमि में क्या हिन्दुस्तान की सरकार ने उनकी आवश्यकताओं पर विचार किया है ।

श्री दिनेश सिंह : सुनते हैं कि देने का वादा बहुत काफी किया है । कितना दिया है यह हम को ठीक से मालूम नहीं है । ज्यादा नहीं दिया है ऐसा लगता है । हम लोग क्या कर रहे हैं यह अभी मैं ने आप से अर्ज किया ।

Incentive Scheme for Dock Workers

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*591. { **Shrimati Savitri Nigam:**
Shri P. R. Chakraverti:

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether Government have taken a decision on the comprehensive

incentive scheme for all categories of Dock workers;

(b) how far the *ad hoc* incentive scheme for baggers in food ships at Calcutta Port has enhanced baggers' earnings on the basis of increased output; and

(c) the reaction of Stevedores to the new scheme?

The Minister of Labour and Employment (Shri D. Sanjivayya): (a) The question of introducing incentive schemes for food grain and salt workers in Calcutta is under consideration of the Central Government.

(b) The average earning per bagger per shift has improved from Rs. 3.50 to Rs. 4.00 on the basis of improved output.

(c) The Stevedores are willing to accept the Incentive Schemes.

Shri P. R. Chakraverti: May I know whether Government proposes to change the present method of recruiting Stevedores?

Shri D. Sanjivayya: There is no proposal to change it.

Shri P. R. Chakraverti: What are the specific references which have been made to the Wage Board which has been set up in this connection?

Shri D. Sanjivayya: The Wage Board is a different thing. I cannot answer.

Shrimati Savitri Nigam: May I know how much time will it take to come to a final conclusion as to what the incentive would be given to each of the workers if this scheme is accepted?

Shri D. Sanjivayya: The whole scheme is under examination. We have called for the views of various trade union organisations. We hope to introduce this scheme by the 1st February next year.

Shri A. P. Sharma: How long will it take to call a meeting of the trade union organisations and obtain their views?

Shri D. Sanjivayya: We have already discussed it with them and they have promised to send their views in writing by the end of this month. As I said earlier, we hope to introduce this scheme by the 1st February next year.

Shri D. C. Sharma: May I know if the Government is going to have a committee consisting of the Members of Parliament and other officials in order to evolve a scheme which will give satisfaction to the workers and to the Stevedores?

Shri D. Sanjivayya: There is no such proposal.

Shri M. R. Krishna: May I know whether the Labour Ministry is aware of the presence of over 16,000 experienced uprooted dock-workers from Burma staying at Vizakhapatnam, and if so, whether the Labour Ministry is contemplating any scheme to help them?

Shri D. Sanjivayya: A representation has been received by the Ministry and it is under examination.

श्री यशपाल सिंह : क्या श्रम मंत्रालय ने इस बात पर गौर किया है कि जब तक वहां कंट्रेक्टर्स हैं न वह सरकार के साथ उन को मामला सुलझाने देंगे और न मजदूरों को आगे बढ़ने देंगे, इस लिये यह प्रथा वहां से खत्म कर दी जाये ।

श्रम और रोजगार मंत्रालय में उपमंत्री (श्री र० कि० मालवीय) : वहां कंट्रेक्ट सिस्टम तो है ही नहीं, स्टीवडोर सिस्टम है, उस के बारे में काफी चर्चा हो चुकी है, लेकिन उस को खत्म करने का अभी कोई ख्याल नहीं है ।

श्री ओंकार लाल बेरवा : मैं जानना चाहता हूं कि वहां पर इस वक्त कौन कौन सी यूनियनें काम कर रही हैं और आप ने किन किन यूनियनों से सुझाव मांगे हैं ।

श्री र० कि० मालवीय : : वहां पर आई० एन० टी० यू० सी० काम कर रही है

और जो आल इंडिया फेडरेशन डाक वर्कर्स का है, वह काम कर रहा है। थोड़े से हिस्से में कम्यूनिस्ट भी हैं।

श्री तुलशीदास जाधव : वहां पर कितनी यूनियनें हैं जिन को मान्यता दी गई है और क्या गैर मान्यता प्राप्त यूनियनों से सलाह ली जाती है।

श्री र० कि० मालवीय : नहीं ऐसी बात नहीं है। जो मान्यता-प्राप्त यूनियनें नहीं हैं उन को हम नहीं मानते और न उन से सलाह लेते हैं, और न उन को सलाह देने के लिये हम कोई प्रोत्साहन देते हैं। लेकिन अगर वह किसी फेडरेशन के साथ अफिलिएटेड हैं तो ऐसी हालत में हम फेडरेशन की राय लेते हैं।

Shrimati Sharda Mukerjee: May I know Government's reaction to the opposition of the labour unions regarding the mechanical offloading of ships since a lot of labour will become unemployed if that is done?

Mr. Speaker: That is a different question altogether.

Shri Oza: May I know whether Government are having any expert advice to assess the workloads to see that the incentives scheme does not add to the workload unnecessarily causing harm to the labourers?

Shri D. Sanjivayya: This question was gone into by the one-man committee called the Jeejheebhoy Committee.

श्री शिव नारायण : मैं जानना चाहता हूं कि जो मेमोरेन्डम इस मिनिस्ट्री को मिला है उसका एग्जामिनेशन करने में कितना समय लगेगा।

श्री र० कि० मालवीय : अभी मिनिस्टर साहब ने बतलाया कि यूनियनों के सुझाव इस महीने के आखिर तक आ जायेंगे और पहली फरवरी से सकीम को लागू कर दिया जायेगा।

श्री हुकम चन्द कछवाय : मैं जानना चाहता हूं कि यूनियन्स से जो सुझाव आयेंगे वे पूर्णतया मान लिये जायेंगे या उनमें कोई संशोधन किया जायेगा, यदि मान लीये जायेंगे तो उन सुझावों को लागू करने में कितना समय लगेगा।

श्री र० कि० मालवीय : अभी बतलाया गया कि उन पर विचार किया जायेगा और उनको पहली फरवरी से लागू किया जायेगा।

Indian Citizenship for Migrants from Abroad

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*592. { **Shri Onkar Lal Berwa:**
Shri Vishwa Nath Pandey:

Will the Minister of **External Affairs** be pleased to state:

(a) whether Government are considering a proposal to confer full citizenship rights on refugee Indians coming from East Pakistan and repatriates from Burma and other African countries; and

(b) if so, when and the number of such refugees?

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): (a) These persons can acquire Indian citizenship after they have fulfilled the conditions laid down for that purpose in the Citizenship Act, 1955 and the rules made thereunder.

(b) Does not arise.

श्री ओंकार लाल बेरवा : मैं जानना चाहता हूं कि ऐसे कितने शरणार्थी हैं जिनकी नागरिकता के बारे में विचार किया जा रहा है।

श्री दिनेश सिंह : मुझे यह मालूम नहीं है कि किसी ने नियम के अनुसार दरख्वास्त दी है या नहीं। इस वक्त तो जो नियम बने हैं उनके हिसाब से उन्हें दरख्वास्त देनी है।

श्री ओंकार लाल बेरवा : अगर आपको यह भी पता नहीं है कि कितने शरणार्थी हैं तो कैसे काम चलेगा ।

अध्यक्ष महोदय : वह कहते हैं कि यह नहीं मालूम है कि कितनों ने दरख्वास्त दी है ।

श्री ओंकार लाल बेरवा : कितने शरणार्थी है इसको बतलाने में क्या दिक्कत है ।

अध्यक्ष महोदय : इस वक्त नहीं बतला सकते ।

श्री ओंकार लाल बेरवा : नागरिकता अधिकार पाने के बारे में सरकार उनको क्या क्या सहायता देगी ।

अध्यक्ष महोदय : इसमें सरकार के सहायता देने का सवाल कैसे पैदा होता है ।

Shri Vidya Charan Shukla: Will the Government be able to say how many such refugees have already been given citizenship rights in India?

Shri Dinesh Singh: To my knowledge, no one has been given.

Shri Himmatsinhji: What is the estimate of the External Affairs Ministry of the number of people who are likely to come from East Africa?

Shri Dinesh Singh: We hope no one will come from there.

Shri Kapur Singh: Is this reversal of the immigration flow of Indians towards back nome indicative of our fast falling image in the outside world, or are there some other causes?

Shri Dinesh Singh: I do not see what the hon. Member is actually wanting but they have been working in these countries, there has been nationalisation in some of these countries; they have lost their employment, and therefore they have come back to India.

Shri Hem Barua: On a point of order. He says there has been nationalisation, they have lost their employment, and that is why they are back. That does not apply to East Pakistan migrants.

Mr. Speaker: Shri Prakash Vir Shastri.

श्री प्रकाशवीर शास्त्री : मैं यह जानना चाहता हूं कि क्या यह सही नहीं है कि भारत सरकार ने श्रीलंका के साथ जो एक बहुत कमजोर समझौता किया है उसकी पृष्ठभूमि में वे भारतीय जो कि दूसरे देशों में रहते हैं, विशेषकर, जंजीबार और टांगानिका में, वहां से उनके निष्कासन में भी बहुत कुछ इसी प्रकार की स्थिति पैदा हो गयी है कि वह हटाये जा रहे हैं क्या उन्होंने भारत सरकार को इस सम्बन्ध में कुछ लिखा है ?

श्री विनेश सिंह : ऐसी बात तो नहीं है क्योंकि जंजीबार के बारे में तो अध्यक्ष महोदय, आपको मालूम है कि पहले से ही लोग आ गये थे जब कि यह तो अभी बात हुई है सीलोन से ।

Shri P. R. Chakraverti: May I know whether Government proposes to confer citizenship on all the refugees who are coming with or without travel documents?

Shri Dinesh Singh: May I say a word about this? People who are coming back to India, people of Indian origin, are of two categories. Quite a number of them are already Indian citizens, they hold Indian passports, and there is no question of their citizenship at all. Then, there are quite a number of people of Indian origin who can register themselves as Indian citizens under Section 5 of the Nationality Act. It is for them to get themselves registered, and then citizenship would follow.

Shri Vidya Charan Shukla: One point is not clear in the Minister's answer.

Mr. Speaker: Shrimati Yashoda Reddy.

Shrimati Yashoda Reddy: After the fall of the Bandaranaike Government in Ceylon, may I know if our agreement with Ceylon gets automatically nullified, or is there any interim arrangement?

Shri Dinesh Singh: No, Sir. It does not get nullified. I explained this to the House last time.

अश्लील फिल्मों तथा पोस्टर्स का प्रदर्शन

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*593. **श्री हुकम चन्द कछवाय :**
श्री ओंकार लाल बेरवा :
श्री बड़े :
श्री यु० सिं० चौधरी :
श्री ओंकार सिंह :

क्या **सूचना और प्रसारण** मंत्री यह बताने की कृपा करेंगे कि सरकार ने उन फिल्मों तथा पोस्टर्स का सार्वजनिक प्रदर्शन रोकने के लिये क्या कदम उठाये हैं, जिनका देखने वालों पर चारित्रिक दृष्टि से बुरा प्रभाव पड़ता है ?

सूचना और प्रसारण मंत्री (श्रीमती इन्दिरा गांधी) : चलचित्र अधिनियम, 1952 के अन्तर्गत कोई भी फिल्म आम लोगों में नहीं दिखाई जा सकती, जब तक कि, उसे फिल्म सेंसर बोर्ड इस योग्य प्रमाणित न कर दे । बोर्ड इस बात की तसल्ली कर लेता है कि कोई भी ऐसी फिल्म न दिखाई जाये जिसके देखने से लोगों का चरित्र गिरे ।

जहां तक पोस्टरों का सवाल है, एक अनौपचारिक समिति है जिस के सामने निर्माता अपनी मर्जी से सेंसर के लिये फिल्म सामग्री को (जिसमें पोस्टर भी शामिल हैं) पेश करते हैं । इस समिति के अध्यक्ष फिल्म डिवीजन के कन्ट्रोलर हैं और फ़िल्म उद्योग के प्रतिनिधि इसके सदस्य हैं । सरकार ने राज्य सरकारों को लिखा है कि वे मौजूदा कानूनों के अन्तर्गत अश्लील पोस्टरों के खिलाफ मुनासिब कारंवाई करें । इस बात की भी जांच की जा रही है कि इस विषय पर जो मौजूदा कानून हैं, उनमें संशोधन की जरूरत है या नहीं ।

श्री हुकम चन्द कछवाय : : क्या मंत्री महोदय का ध्यान उन कुछ गन्दी फिल्मों की ओर गया है जिनमें अश्लील गाने होते हैं और उन गानों का प्रयोग कुछ लड़के छात्राओं पर करते हैं और इस तरह की घटनाएं अनेक समाचार पत्रों में छपी भी हैं कि उनको इस शरारत के लिये दण्ड मिला है, तो क्या हमारी सरकार ऐसे अश्लील गानों को समाप्त करने जा रही है ?

The Deputy Minister in the Ministry of Information and Broadcasting (Shri C. R. Pattabhi Raman): The position with regard to films, including songs, is different from the posters. Under the Cinematograph Act, they have got a regular censorship, and various provisions are there, with which I will not tire the House. So far as the posters are concerned, it is true that some of them contain pictures which you may not see even in the picture itself. That is to say, they have got no sort of control, and therefore, we may even think of amending the Act. Pending that, we have written to the various State Governments, and we have got this informal committee, as the hon. Minister has pointed out, with seven members, who periodically go into these posters.

श्री हुकम चन्द कछवाय : मंत्री महोदय ने बतलाया है कि इसके लिए सात सदस्यों की एक समिति नियुक्त की गई है तो उन सदस्यों के नाम क्या हैं और क्या यह सदस्य ऐसे अश्लील पोस्टरों पर भी ध्यान दे रहे हैं जो कि बिल्कुल नग्न चित्र होते हैं और जिसके कारण लोगों में एक गन्दा विचार पैदा होता है ? क्या उस सम्बन्ध में सरकार कुछ कठोर दण्ड देने का भी इंतजाम कर रही है ताकि ऐसे चित्र फिल्म निर्माता न निकालें ?

सूचना और प्रसारण मंत्री (श्रीमती इन्दिरा गांधी) : जैसा कि मैंने कहा था हमने यह उचित समझा था कि यह जो फिल्म इंडस्ट्री है इस पर वह खुद सैंसरशिप अपनी करे बजाय इसके कि हम बाहर से करें लेकिन तब भी हमने सब राज्य सरकारों को लिखा है कि वे इस चीज पर ध्यान दें और अगर वे ऐसा सोचती हैं कि जो नियम अभी हैं वे काफी नहीं हैं तो हम उन्हें बदलने का विचार कर सकते हैं ।

श्री ओंकार लाल बेरवा : जब से यह सेंसर बोर्ड बना है तब से किन किन फिल्मों पर इन्होंने रोक लगाई है ?

श्रीमती इन्दिरा गांधी : वह सब डिटेल्स तो मेरे पास मौजूद नहीं हैं लेकिन खरीब करीब सभी फिल्मों में से कुछ न कुछ कटता ही है, कुछ में से तो काफी कटता है ।

Shri S. N. Chaturvedi: May I know whether any action has followed after Shri Vinoba Bhave started the movement against indecent posters being exhibited in public places?

Shrimati Indira Gandhi: I have just now said that we have approached all the State Governments to look into this matter.

श्री राम सहाय पाण्डेय : अश्लील भारतीय चित्रों, पोस्टरों, भाषा और अभिनय के सम्बन्ध में कुछ प्रतिबंध लगाया जा सकता है जैसा कि सोचा जा रहा है तो मैं जानना चाहता हूं कि कुछ चित्र जोकि विदेशों से यहां पर आते हैं और यहां पर डिसप्ले होते हैं वे हमारे भारतीय दृष्टिकोण से जहां अश्लील होते हैं वहां उनके अर्थात् विदेशियों के लिए शील हैं तो इस सम्बन्ध में क्या उनके बारे में भी विचार किया जा सकता है ?

श्रीमती इन्दिरा गांधी : वह भी सैंसर बोर्ड को जाते हैं । बिना सैंसर हुए तो कोई भी चित्र यहां भारत में नहीं दिखलाया जाता है । पोस्टर्स भी जिनको कि वह अश्लील और इसलिए ग़लत और अनुचित समझते हैं तो उन के लिए भी वह कार्यवाही कर सकता है ।

Shri Kapur Singh: I want to know whether the Government are quite clear in their mind as to what types or categories of exhibitions intrinsically ten dto lower the morale of the beholder, or is it a question on which much can be said on both sides?

Shri C. R. Pattabhi Raman: There are a few categories and if I may, with your leave refer to them, they are as follows. A film shall not be certified as suitable for public exhibition, either unrestricted or restricted to adults, if it deals with vice or immorality in such a manner as to (i) extenuate vicious or immoral acts; (ii) undermine the accepted canons of decency; (iii) depict vice or immorality as attractive or (iv) cast a halo of success or glory round the vicious or immoral.

Mr. Speaker: Even after this much can be said on both sides.

श्री प्रकाशवीर शास्त्री : मंत्री महोदया ने जिस प्रकार बताया कि अश्लील फिल्मों और पोस्टरों में कुछ सुधार हो सकता है इस सम्बन्ध में विचार किया जायेगा । जहां तक मेरी स्मरण-शक्ति काम कर रही है अब से कई वर्ष पूर्व इसी मंत्रालय के भूतपूर्व मंत्री डा० केसकर ने भी फिल्म सैंसर बोर्ड को अधिक प्रभावशाली करने के सम्बन्ध में इस सदन् को आश्वासन दिया था । मैं जानना चाहता हूं कि उस सम्बन्ध में पहले क्या निर्णय लिये गये और फिर से इस प्रश्न पर विचार करने की क्यों स्थिति आ गई ?

श्रीमती इन्दिरा गांधी : यह तो एक ऐसा सवाल है जिस पर हर वक्त विचार करते जा सकते हैं, क्योंकि फिल्म बदलते रहते हैं । यह कोई एक दफे निश्चय लेने की बात नहीं है । मैं माफी चाहती हूं कि डा० केसकर ने

क्या आर्डर दिया था वह मुझ को नहीं मालूम है ।

श्री विभूति मिश्र मैं जानना चाहता हूं कि यह जो 7 सदस्यों कएक कमेटी नियुक्त कीग ई है उस के बजायहमारी सरकार के सदस्य और हमारे मंत्री लोग यहां दिल्ली में रहते हैं तो यह लोग कम से कम यहां दिल्ली में अंग्रेजी व हिन्दी चित्रों को सब से पहले देख लिया करें, सैम्पुल सर्वे कर के अपना निर्णय लें कि किस प्रकार के चित्र बनाये जायं ताकि हमारे देश के बच्चों और युवकों का आचरण ऊंचा उठे ?

श्रीमती इन्दिरा गांधी : अब उस का तो कोई जवाब है नहीं, सिर्फ सुझाव है ।

श्री यशपाल सिंह: क्या यह सच नहीं है कि यह सैंसर बोर्ड तो बाद में बैठता है लेकिन उस के बैठने के महीनों पहले हाफ नैकैड पिक्चर्स बाजारों में आ जाते हैं और चौराहों को कलंकित करते हैं ?

श्रीमती इन्दिरा गांधी : मैं ने तो ऐसा नहीसुना है ।

अध्यक्ष महोदय : ठाकुर साहब ऐसी तस्वीरों को देखते ही क्यों हैं ? उधर उनको नजर नहीं डालनी चाहिए ।

Shri Nambiar: May I know whether Government's attention has been drawn to the very bad type of American pictures which are being shown in India and if so what action is proposed to be taken in order not to allow such films?

Shrimati Indira Gandhi: I have already stated that all these films pass through the censor board.

Shrimati Savitri Nigam: May I know whether it has been brought to the notice of the hon. Minister that some of the films and posters have been stripped and the films are enlarged and new strips have been added to them after they have passed through the Censor Board and the meeting of the advisory committee?

Shrimati Indira Gandhi: I have not heard of it.

Shri M. R. Krishna: May I know whether it is a fact that some of the films which are meant purely for the young men are often seen by the old people, and therefore.. (*Laughter*).

Mr. Speaker: Order, order. Where does the hon. Member put himself?

Shri D. C Sharma: It is a reflection on you and some other Members!

Mr. Speaker: Order, order. I will allow some old men also to put questions!

Shri Hem Barua: In view of the fact that our ancient religious cultures have amply established that there is nothing obscene in life and the so-called obscene postures in the temples of Puri and Khajuraho have the effect of a catharsis in the minds of the viewers and also, according to Shrimati Indira Gandhi, the topless originated in India, may I know in the context of this, why our Government are so much unnecessarily perturbed about a few naked things in a few pictures?

Shri Kapur Singh: I said the same thing.

Shri Hem Barua: What is the reply, Sir?

Mr. Speaker: Shri Kapur Singh says that he has put the same question and the answer has come.

Shrimati Yashoda Reddy: May I know whether the attention of the Government has been drawn to the fact that the Hindi pictures, compared to Bengali, Telugu and Tamil pictures, have deteriorated both in their production and moral content and, if so, what is the action that Government propose to take in the matter?

Shrimati Indira Gandhi: I do not think that this is a true statement.

श्री ब० ला० बारूपाल : कुछ माननीय सदस्यों ने अंग्रेजी चल-चित्रों का जिक्र करते हुए बताया है कि वे अश्लील हैं। मैं यह जानना चाहता हूं कि क्या वे चित्र खजुराहो में अंकित हमारी प्राचीन संस्कृति के चित्रों से बढ़िया हैं या घटिया।

अध्यक्ष महोदय : माननीय सदस्य जा कर मुकाबला कर लें।

Pact for Non-Dissemination and Non-Acquisition of Nuclear Power

*594. **Shri Hem Barua:** Will the Minister of **External Affairs** be pleased to state:

(a) whether Government are aware of the fact that in supporting India's decision not to manufacture an atom bomb, Britain's Minister for Disarmament, Lord Chalfont, has suggested two things: (i) a non-dissemination agreement by the Nuclear Powers and (ii) a non-acquisition pact by the non-nuclear Powers; and

(b) if so, Government's reaction to these suggestions?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) Government have seen press reports of such a statement having been made by the British Minister of State for Disarmament.

(b) The decision of the Government of India to refrain from the manufacture of nuclear weapons is in keeping with Government's basic opposition to their existence and dissemination. Government have consistently drawn attention to the urgent need for the conclusion of a non-proliferation agreement which will provide for commitments by nuclear powers regarding non-transfer of nuclear weapons and technology, and also for obligations by non-nuclear powers regarding non-manufacture and non-acquisition of nuclear weapons and technology.

Shri Hem Barua: May I know if the attention of the Government has been drawn to the latest statement made by the British Prime Minister, Mr. Harold Wilson, which suggests a V-bomber fleet with nuclear teeth for police work outside the NATO area and, if so, may I know how far this suggestion of the British Prime Minister corresponds to our Prime Minister's suggestion of a nuclear shield for us, and if it does not, what is the reaction of the Government to this new proposal of the British Prime Minister?

Shrimati Lakshmi Menon: Government have seen the statement. The Prime Minister has never made any statement regarding nuclear shield.

Shri Hem Barua: I want to know positively from the Government, when there is a suggestion made by the British Prime Minister about a V-bomber fleet....

Mr. Speaker: The hon. Member might kindly put a simple, straight question.

Shri Hem Barua: It was very simple, Sir.

Mr. Speaker: It is difficult for me to understand.

Shri Hem Barua: I will put it in a simpler way. The British Prime Minister, Mr. Harold Wilson, has come out with a statement and that statement stipulates a V-bomber fleet with nuclear teeth for police work outside the NATO area. This is a new development. And therefore, I just wanted to know what is our Government's reaction to this latest suggestion made by the British Prime Minister.

Shrimati Lakshmi Menon: Government have not expressed their reaction.

Shri Hem Barua: May I know if the attention of the Government is drawn to the query of Mr. Harold Wilson in the House of Commons to the Leader of the Opposition, which

asks the Leader of the Opposition what he would advise about India becoming a nuclear power in the light of the Chinese threat and adds, "If you advise India to become a nuclear power, what about Pakistan"?

Mr. Speaker: The context that is narrated becomes so long that it is very difficult for the Minister to retain every word of it while replying.

Shri Harish Chandra Mathur: Very often you have observed, Sir, that the observations made by hon. Members in questions are too long. But I do not think they exceed even 100 words. The Rules provide that ordinarily a question should not exceed 150 words. That means sometimes one can go even beyond 150 words. I wanted to point this out because last time when I put a question regarding nuclear weapons, you made a similar observation. I submit that the questions are absolutely in order according to the rules. If the Ministers are not able to comprehend them and digest them, I think the fault lies on that side.

Mr. Speaker: The provision made in the rules is really the limit to which a Member can go, namely, 150 words and not that ordinarily a Member should put a supplementary of 150 words.

Shri Kapur Singh: Mr. Hem Barua is no ordinary person.

Mr. Speaker: I did not say that. Sometimes I feel again and again that the questions are involved and it would not be possible to answer them in a simple and straight way. But I do sit down listening to them, because if I begin to interrupt, perhaps that might take some longer time. Therefore, I will again request the hon. Members; if the questions are straight and simple and easily understandable, I can also compel the Ministers to give the answers in a precise and straight manner.

Shri Ranga: They might take shelter under that and say only "yes" or "no" without giving any information.

Mr. Speaker: I will not be satisfied with that.

Shri Harish Chandra Mathur: The only words here in the rule are "It shall not ordinarily exceed 150 words". I quite understand it need not be involved, but there should be no objection to the length of the question.

Shri D. C. Sharma: It only applies to main questions and not to supplementaries.

Mr. Speaker: It is not merely 150 words. The rule says that it shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements. I find that many questions contain all these combined.

Shri Harish Chandra Mathur: I only said about the length of the question.

Shri Hem Barua: May I know if the attention of the Government is drawn to a query posed by the British Prime Minister, Mr. Harold Wilson, to the Leader of the Opposition in the House of Commons, whether he would advise India to become a nuclear power in the light of the Chinese threat and if he would advise that, "What about Pakistan"? Since this statement betrays a broad psychology of the monopolists of nuclear power—that nobody should break the monopoly of nuclear power enjoyed by these nations—may I know if this is one of the reasons, out of many reasons offered by our Prime Minister—the desire not to disoblige these nuclear powers—why our Government have decided not to manufacture the atom bomb?

The Minister of External Affairs (Shri Swaran Singh): The answer is a simple "No". (*Interruptions*).

Shri D. C. Sharma: May I know if the monopoly so far as the production, dissemination and acquisition of nuclear weapons is concerned is reserved for a few nations or whether the Government is doing anything to

break that monopoly, and if it is doing anything may I know what are the results?

Shrimati Lakshmi Menon: The Government has already submitted a draft resolution in the United Nations on this question regarding non-proliferation and non-acquisition of nuclear weapons.

Shri Shinkre: The hon. Minister of State a little while ago stated the Government of India's policy regarding these nuclear weapons and said, in confirmation of what the hon. Prime Minister also had stated, that it was to refrain from producing nuclear weapons. Recently it was reported that our Ambassador in Washington stated that if there are more powers who will produce nuclear weapons this country also will go in the race. Does that mean that this country or this Government does not mind being one of the sinners if there are too many sinners?

Mr. Speaker: He is arguing it.

Shri Narendra Singh Mahida: Sir, I want to know what is the reaction of the Government. Our former Prime Minister had announced that we are indifferent towards the Americans patrolling the Indian Ocean. On the top of that the British have now come forward. We cannot be indifferent towards this. May I know what is the reaction of our Government to this?

Mr. Speaker: That is a different question.

Shri Hem Barua: That is the question I put.

Mr. Speaker: I am objecting to that also.

Shri Narendra Singh Mahida: How can you, Sir. I want to know their reaction to this.

Shri Hem Barua: Sir, it is a very serious matter.

Mr. Speaker: I must submit that these supplementaries are intended to elicit information and not to argue with the Ministers for the modification of the policies that they are pursuing. This is not the occasion for that. Different occasions can be had for that purpose. But here the Members should get as much information as they can collect and then utilise them for arguments at different occasions when they have discussions here.

Shri Hem Barua: But the information was denied to us.

Shri Namblar: He is only asking about the reaction of the Government of India.

Shri Shinkre: My question was aimed at getting information as to whether there was any change in the Government's policy.

Shri K. C. Pant: Has the Government sounded the Government of USSR in regard to the suggestion that the nuclear powers should assume joint responsibility for the security of non-nuclear powers against a nuclear attack; if so, may I know what is the reaction of the Government of USSR?

Shrimati Lakshmi Menon: No, Sir; we have not sounded the Government of USSR.

Shri Hari Vishnu Kamath: After having broached with the British Prime Minister the idea of joint nuclear shield by the western powers and Russia for the non-aligned nations of Asia and Africa, as the Prime Minister admitted in the House last week, has the Prime Minister been in touch further with the British Prime Minister as to whether he discussed the matter with the American President—this particular matter—and has the Prime Minister also been in touch with the other non-aligned nations of Asia and Africa for whom this shield is intended?

Shri Swaran Singh: In the first instance, there was no suggestion for a shield as such. The Prime Minister posed a problem—here are other countries going ahead with nuclear

programme and it is a serious matter for the nuclear powers to consider as to what steps they take to ensure that non-nuclear powers do not feel unsafe; that was the problem that was posed. No such guarantee as such was asked for either for India or for any other country. On the second part of the question, there has been no further discussions or consultations or exchange of information between the Indian Prime Minister and the Prime Minister of the United Kingdom.

Mr. Speaker: Shri R. G. Dubey:

Shri Hari Vishnu Kamath: Sir, my question has not been fully answered.

Mr. Speaker: When I have called one Member to put a supplementary, others should sit down.

Shri Hari Vishnu Kamath: I wish the External Affairs Minister was a little more clear, because my question was specific as to whether the matter discussed by our Prime Minister with the British Prime Minister has been pursued further when the British Prime Minister met the American President recently. Secondly, has our Prime Minister or External Affairs Minister been in correspondence with the non-aligned nations of Asia and Africa with regard to this matter, because it is intended for all the non-aligned nations—I mean the shield?

Shri Swaran Singh: With regard to the first part, there have been press statements according to which the British Prime Minister has said that he has mentioned this idea to the President of United States; more than that, nothing else has happened. About the second part, we are not in correspondence with any other non-aligned nations.

Shri R. G. Dubey: In view of the serious problems arising out of this matter, may I know whether the Government of India have any proposal to have an emergency conference of the non-aligned powers?

Shri Swaran Singh: We do attach importance to this problem. It is a serious matter. But there is no proposal to call for a conference of the non-aligned nations.

Explosion of Nuclear Device by China

*595. **Shri Harish Chandra Mathur:** Will the Minister of **External Affairs** be pleased to state:

(a) whether Government have ascertained the views and reaction of the countries which signed the Test Ban Treaty (Moscow) on the impact and implications of explosion of a Nuclear device by China;

(b) what renewed effort is to be made and positive steps contemplated to check the proliferation of Nuclear weapons by these countries; and

(c) whether U.S.A. and U.S.S.R. are prepared for any effective joint action?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) Government are ascertaining the views of various Governments on this question.

(b) At India's request an item on non-proliferation of nuclear weapons has been included on the agenda of the 19th session of the United Nations General Assembly. Government propose to continue its efforts for the urgent conclusion of an international agreement on non-proliferation of nuclear weapons in the General Assembly in the 188-Nation Disarmament Conference and in other suitable forums.

(c) The U.S.A. and the U.S.S.R. have declared themselves in favour of preventing the spread of nuclear weapons but have not yet been able to reach agreement on the terms of a draft treaty for this purpose.

Shri Harish Chandra Mathur: Mr. Speaker, I addressed this question to the Prime Minister because it is the Prime Minister who with his personal

knowledge could have thrown greater light in the matter. I do not know why it has been transferred to the Minister of External Affairs.

Shrimati Lakshmi Menon: The Prime Minister is not here; he is out of station.

Shri Harish Chandra Mathur: The Parliament is in session and important questions are being answered. Prime Minister ought to be here.

Mr. Speaker: Now what is the question?

Shri Harish Chandra Mathur: May I know whether Government's attention has been drawn to radically differing meanings given to the suggestion for joint action by nuclear powers made by our Prime Minister? The ex-Defence Minister calls it as a cart before the horse and our own Foreign Minister makes a statement in New York that he is not aware of Prime Minister's such stand and that he considers joint action by non-nuclear powers as not feasible. May I know what exactly is the position and whether it would be clarified to remove the confusion which has been created in the country and abroad as to what real meaning is to be attached to this joint action and how this statement of the Prime Minister is to be reconciled with the statement of our Foreign Minister and the action being taken by the British Prime Minister?

Shri Swaran Singh: I think, on this issue, the Prime Minister himself made a statement in Parliament and after that there should not have been any confusion. On the second question about my statement in New York, I do not think that there was any contradiction as such. The question that some press people asked me was if there is, according to my view, any possibility of a treaty of protection. Some such question was put—actually I have not seen how it was reported in the Indian newspapers—and I did see some report there. I stated that having seen the atmosphere here, it is not likely that such a treaty would be practical, knowing the two nuclear powers' attitude, as to whether there could be an all-comprehensive treaty which could provide protection to all countries. Therefore, there is, to my mind, no confusion. The Prime Minister had clearly posed a problem that unless the main nuclear powers, namely, the U.S.S.R. and the U.S.A., could find some way of reassuring the non-nuclear powers about their safety, the risk of proliferation is great and, therefore, the nuclear powers who also are in favour of the policy of non-proliferation should give serious thought to it and should find ways and means of assuring the non-nuclear powers.

Shri Harish Chandra Mathur: The hon. Prime Minister talks of joint action while the hon. Foreign Minister talks of a moral climate .....

Shri Swaran Singh: I have not used that expression at all.

Shri Harish Chandra Mathur: 'Moral climate' is the word which has been reported about in the statement made by the Foreign Minister in London. I do not know if he reads the papers or not. Let him dispel the doubts....

Shri Swaran Singh: I know what I spoke. I did not use that expression at all.

Shri Harish Chandra Mathur: We are not in direct correspondence with the Foreign Minister. We only read what appears in the papers. Papers talk about the moral climate. May I know what makes the Government of India to believe that the faint-hearted effort to create a climate will bear any result particularly in the light of the fact that most of the Afro-Asian countries are undecided or divided on this particular issue of an explosion by China and U.S.A. and U.S.S.R. are not saying anything, or is it we do not understand our Government correctly and they have got some teeth in the proposal which they have put before the world?

Shri Swaran Singh: It is not correct that we are faint-hearted in our

approach. We are quite clear and we are working very strenuously for non-proliferation and for disarmament. Therefore, there is no question of any faint-hearted attitude in this respect. Even amongst the non-aligned countries, there is that clear declaration contained in the final outcome of the Cairo Conference where it has been clearly mentioned that all countries who have not signed the Moscow Test Ban Treaty should sign it. There is a further part of the declaration that those countries which have not got the nuclear power should not acquire it or should not develop it and those who have got it should prevent its proliferation. So there is a vast consensus of opinion in favour of non-proliferation and it will be wrong to suggest that countries in the world are not conscious of the danger which is inherent in proliferation.

Mr. Speaker: I may point out one thing for the information of the hon. Minister that might be amazing to him. Day before yesterday I was presiding at the Mock Parliament in Meerut College and they too, while discussing these external affairs, pointed out to me this very thing that there was some discrepancy. They too stated like that. I was rather myself worried about it. He might consult the reports that have appeared and then find out whether his statement has been correctly reported.

Shri Swaran Singh: I will do, Sir. We can learn even from the Mock Parliament.

Shri Harish Chandra Mathur: The Secretary of the Afro-Asian Countries Conference who was here also said it.

Shri Hem Barua: On a point of order. You, Sir, have been the Honourable Speaker of this Parliament and the custodian of our rights, privileges and other thirgs. So, may I know why you presided over a 'Mock Parliament'?

Mr. Speaker: Because this House did not give me the honour of presiding on Saturday.

An hon. Member: Five days' business is enough for you.

Shri Ranga: If I might venture an observation, I agree with my hon. friend Shri Hem Barua that our Speaker need not have taken the trouble to preside over a 'Mock Parliament'.

Mr. Speaker: I might give an explanation. We have to train our young boys and girls in our colleges, and I hope hon. Members will agree with me that we should aid them to come up to those standards that we expect of the, because thev are the future citizens of our country.

Shri Hari Vishnu Kamath: May I request to advise the young boys and girls not to use the word 'Mock' but some other words when you are invited to preside?

Shri Ranga: In view of the fact that the External Affairs Minister has just now said that he stands by the statement made in Parliament by the Prime Minister, was it not rather embarrassing to this country, to Parliament and to the Prime Minister, for the present External Affairs Minister to venture to make observations in the light of the changed circumstances and the changed atmosphere which he had found after he had met the representatives of the various Governments at the United Nations? Would it not have been much better for him to have reserved his own comments until he had met the Prime Minister, had discussions with him, and then helped the Prime Minister to come and make his statement here in this House?

Shri Swaran Singh: I do not think that there was any embarrassment. I have been in touch with the Prime Minister, and there has been no embarrassment at all. When I go abroad and people....

Shri Hem Barua: On a point of order.

Mr. Speaker: Let the hon. Minister be allowed to complete his answer.

Shri Swaran Singh:....When I go abroad and when I am asked questions on certain things, I have to say something....

Shri Ranga: Not necessary, and not on every occasion.

Shri Swaran Singh:....and it is not unnatural that if questions are asked on any important issue I have to give reactions. It may be that what I say is not correctly reported....

Shri Hari Vishnu Kamath: It often happens!

Shri Swaran Singh: I would like to say that my experience is that in these matters we are generally complaining against some of our pressmen, but foreign pressmen really are not very faithful in reporting; sometimes, even they misreport.

Shri Hari Vishnu Kamath: Not everyone of them; only a few of them might do so.

श्री मधु लिमये : मैं जानना चाहता हूं कि चीन द्वारा किये गये अणु बम के विस्फोट के सन्दर्भ में क्या विदेश मंत्री एक बार फिर यह कहने की आवश्यकता नहीं समझते हैं कि चीन के साथ हम एक इंच भूमि का भी सौदा नहीं करेंगे ।

Mr. Speaker: That would not be relevant here.

Shri Swaran Singh: That is not at all relevant. But we have made our position on this issue quite clear on more than one occasion.

श्री विभूति मिश्र : हमारी सरकार ने जो अभी निर्णय किया है कि हम अणु आयुध नहीं बनायेंगे तो, मैं जानना चाहता हूं, क्या सरकार ने हिन्दुस्तान के बालिग मताधिकार रखने वाली जनता की राय जान कर ऐसा किया है, या क्या वह उस की राय जानने की कोई योजना बना रही है ?

श्री स्वर्ण सिंह : मैं इस का क्या जवाब दूं ।

Mr. Speaker: The hon. Member wants to know whether this policy has been formulated after consultation with the people or whether it is proposed to have consultation with the people even afterwards.

Shri Swaran Singh: In such matters, Government take the decision, and Government are supposed to represent the people including the Parliament. Therefore, even on important issues, we attach the highest importance to this. And we do not regard this as even a party-matter, and we have taken a decision. It is not a new decision but a continuation of an original decision; that is, our policy not to develop nuclear energy for non-peaceful purposes is a policy which is continuing, and there is no question of having any particular consultation. That is not the process through which we pass when we take decisions.

श्री विभूति मिश्र : अध्यक्ष महोदय, मेरा एक प्वाएंट ऑफ़ आर्डर है । मंत्री जी ने जो जवाब दिया उस पर मैं ने कहा कि यह चीन ने जो ऐटम का विस्फ़ोट किया है उसके बाद सरकार ने राय जानी है या नहीं जबकि मंत्री जी कहते हैं कि पहले से हमारा यह निर्णय है तो मेरा सवाल यह है कि जब चीन ने ऐटम का विस्फोट किया उस के बाद हिन्दुस्तान की जनता की राय ली गई या नहीं ?

अध्यक्ष महोदय : आर्डर, आर्डर । वह कहते हैं कि हम लोगों के नुमायन्दे हैं और हम ने फैसला करना है ।

Shri S. N. Chaturvedi: May I know whether non-proliferation and non-acquisition of nuclear weapons will not place the non-nuclear powers at a permanent disadvantage and at the mercy of the nuclear powers? Have Government considered that aspect of the question?

Shri Swaran Singh: Non-proliferation is in the interests of every one.

i.e. the powers having nuclear weapons and those powers who have not got the weapons.

Shri S. N. Chaturvedi: How is their security guaranteed?

Mr. Speaker: Short Notice Question.

12.00 hrs.

SHORT NOTICE QUESTIONS

Pakistan Military Delegation in U.A.R.

S.N.Q. 8. Shri Hem Barua: Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that a Pakistani Military Delegation headed by General Musa, Commander-in-Chief, Pakistan armed forces is at present in Cairo;

(b) whether it is a fact that after its talks with the U.A.R. Government the proposed jet agreement between India and U.A.R. has been postponed; and

(c) whether it is also a fact that this is the first time that the U.A.R has invited a Pakistani Military Delegation?

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): (a) Yes, Sir.

(b) No, Sir.

(c) Yes, Sir.

Shri Hem Barua: May I know if it is not a fact that both diplomatically and politically Pakistan and UAR were poles as under during the last ten years and President Nasser levelled one of his bitterest criticisms during last year against Pakistan for Pakistan sending military aid to the royalists in Yemen through Saudi Arabia; if so, may I know whether Government have tried to ascertain the political psychology behind this phenomenon of friendship between Pakistan and UAR and the extent to which it might affect our relations with UAR?

Shri Dinesh Singh: This visit to the UAR is in return for the visit of the military team from UAR that had gone to Pakistan. There is not likely to be any political implications of this.

Shri Hem Barua: What about the background? During the last ten years there was no friendship between the two countries.

Mr. Speaker: Let us look ahead. Background is difficult to know.

Shri Hem Barua: May I know if it is a fact that when this sudden spurt of military friendship took place between Pakistan and UAR, our Ambassador was not available in Cairo to report about this development, and our *Charge d'Affaires* did not report it to our Government until he was asked by the External Affairs Ministry to do so; if so, since this is not the first time that our Ambassadors have failed at the crucial moment, may I know what steps Government have taken to gear up our diplomatic machinery abroad so as to avoid these pitfalls or awkward situations?

Shri Dinesh Singh: I would not say there has been any neglect on the part of our Ambassador.

Mr. Speaker: His point is, firstly our Ambassador was not there, secondly the *Charge d'Affaires* did not report until we asked for that.

Shri Dinesh Singh: I cannot say offhand whether the Ambassador was there or not at the particular time. May I say it is not necessary for the Ambassador to be at the post when there is a military delegation? The Embassy is there, and that is functioning. We have received a report from the *Charge d'Affaires*. I would not say that this is in response to a telegram necessarily. It has come as a regular report.

Shri Hem Barua: Sir, on a point of order. Here is a Minister who fails to give information. We have always been told that we should try to elicit information from the Government. But

the Government fails to give information. The Minister does not know whether our Ambassador was available there at that time, he does not know whether our *Charge d'Affaires* sent a report on being asked to do so, he knows nothing about that and we are kept in the dark, we are not given any information. When the Minister refuses to give information what do we do about this?

Mr. Speaker: The Minister would give this information but at present he is not equipped with that information.

Shri Nath Pai: In view of the concerted effort both by China and Pakistan in the United Arab Republic and the red carpet which was thrown open to Gen. Musa—and possibly that is being thrown open to Mr. Chou En-lai who is on his third visit to that country—may we know whether Government is in a position to say that the most cordial relationship between India and the United Arab Republic still continues or is it being corroded by these onslaughts from Peking and Karachi?

Shri Dinesh Singh: We have the best relations with the UAR. It is customary for one country to invite people from the other countries. Our Chiefs of Staff have also been there: our Prime Minister had also been there. I would not say that this visit of Pakistan military delegation is a corrosion in our relationship.

Shri Hari Vishnu Kamath: With reference to Shri Hem Barua's query, I may also tell the House that our Ambassador in Moscow was not in Moscow at the time of the shake up in the Kremlin on October 15th.

Now, arising out of the answer to part (A) of the question, namely, whether the agreement has been adversely affected—he says 'no'. What progress has been made so far towards the implementation of the agreement todate since it was signed?

Shri Dinesh Singh: Our team of experts had gone there the other day to hold talks and we are now awaiting the UAR expert team to come to India soon.

श्री प्रकाशवीर शास्त्री: मैं यह जानना चाहता हूं कि कैरो में जो हमारे राजदूत हैं इस बात में कहां तक सच्चाई है कि उन के सगे भाई ही वहां पाकिस्तान के राजदूत भी हैं ?

श्री दिनेश सिंह : हमारे राजदूत के भाई वहां पाकिस्तान के राजदूत नहीं हैं ।

श्री स्वर्ण सिंह : हमारे राजदूत वहां हक्सर साहब हैं पता नहीं कि माननीय सदस्य को यह कहां से इत्तिला लगी कि वहां पाकिस्तान में हक्सर साहब के कोई भाई राजदूत लगे हैं अब हक्सर साहब के कोई भाई अगर वहां पाकिस्तान में ऐमबैसेडर होंगे तो वह हिन्दू ही हो सकते हैं । अगर हक्सर साहब के कोई रिश्तेदार वहां होंगे भी तो वे हिन्दू ही होंगे ।

अध्यक्ष महोदय : मालूम पड़ता है कि माननीय सदस्य को यह ग़लतफ़हमी हो गई कि यह हक्सर साहब शायद मुसलमान हैं ।

राजधानी में 'टेलीफोन दलालों' का गिरोह

S. N. Q. 9. श्री रामेश्वर टांटिया : क्या **संचार** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि राजधानी में टेलीफोन दलालों के एक गिरोह का पता चला है और 'अपना टेलीफोन लगवाइये योजना' के अधीन मंजूर किये गये टेलीफोन कनेक्शनों के लिए टेलीफोन विभाग को लगभग 25,000 रुपये का धोखा दिया गया है;

(ख) यदि हां, तो क्या किसी जांच के लिए आदेश दिया गया है;

(ग) क्या यह भी सच है कि डाक तथा तार विभाग के कुछ कर्मचारी भी इस गिरोह में शामिल हैं; और

(घ) क्या इस गिरोह के सभी व्यक्तियों को गिरफ्तार कर लिया गया है ?

The Deputy Minister in the Department of Communications (Shri Bhagavati): (a) One person is under Police custody. He is known to have issued ten cheques for new telephones under O.Y.T. Scheme. The cheques amounting to Rs. 20,768 were dishonoured. Of these 10, two connections were never opened, two have paid the money and three have been disconnected. It has not been possible to disconnect 3 telephones of these ten cases because of interim court injunctions which are being defended by the Department.

(b) Departmental as also Police investigations are in progress.

(c) Premature at this stage of investigation, but one postal clerk is under Police custody.

(d) The matter is still under investigation.

श्री रामेश्वर टांटिया : यह गोल-माल कितने दिनों से चल रहा था और सरकार के ध्यान में यह इतने दिनों के बाद क्यों आया ?

Shri Bhagavati: This information reached us in last November only. Before that, we had no information of such a thing.

श्री रामेश्वर टांटिया : क्या यह बात भी सरकार के ध्यान में है कि दिल्ली के सिवाये देश के अन्य बड़े बड़े शहरों में टेलीफ़ोन के लिए इसी तरह क्यू लगी हुई हैं, परन्तु कुछ रुपया देने से टेलीफ़ोन के दलाल जल्दी टेलीफ़ोन लगवा देते हैं; यदि हां, तो सरकार इस विषय में क्या कदम उठा रही है ?

Shri Bhagavati: I think it is wrong; we have no information and no complaint of that nature.

श्री ओंकार लाल बेरवा: मैं यह जानना चाहता हूं कि जो लोग पकड़े गये हैं, क्या उन में टेलीफ़ोन, डाक-तार विभाग के या कोई अन्य राज्य-कर्मचारी भी हैं ।

Shri Bhagavati: One employee of the postal department has been arrested in this connection.

श्री हुकम चन्द कछवाय : : मैं यह जानना चाहता हूं कि टेलीफ़ोन लगाने के सम्बन्ध में प्रति वर्ष कितने प्रार्थनापत्र आते हैं और उन में से कितने प्रतिशत टेलीफ़ोन लगाये जाते हैं । क्या सरकार को ऐसी कोई शिकायत भी मिली है कि बिना पैसा दिये अफसर जल्दी सुनवाई नहीं करते हैं ?

Shri Bhagavati: This is a different question altogether. But I can say that in Delhi, from 250 to 300 telephone connections are given under the CYT scheme every month.

WRITTEN ANSWERS TO QUESTIONS

Shelvankar Report on External Publicity

***590. Maharajkumar Vijaya Ananda:** Will the Minister of **External Affairs** be pleased to state:

(a) whether the recommendations contained in the Shelvankar Report regarding External Publicity have been given effect to;

(b) if so, the extent to which these recommendations have been implemented; and

(c) if not, when the recommendations will be implemented?

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): (a) to (c). The recommendations regarding streamlining the organisational set-up of the External Publicity Division and improving the performance of our Publicity posts abroad, are being implemented progressively within the existing financial and administrative limitations of the Ministry.

Auxiliary Cadet Corps Scheme

*596. **Shri Vishram Prasad:** Will the Minister of **Defence** be pleased to state:

(a) whether Government have decided to discontinue the Auxiliary Cadet Corps Scheme;

(b) if so, the reasons therefore; and

(c) the alternative arrangements made to replace the present scheme?

The Minister of Defence (Shri Y. B. Chavan): (a) Yes, Sir; from 1st April, 1965.

(b) Government of India had appointed a Committee under the chairmanship of Dr. H. N. Kunzru for coordination and integration of schemes operating in the field of Physical Education, Recreation and Youth Welfare. This Committee recommended that there should be one integrated programme in the field of physical education woven into the fabric of the educational system and that once such an integrated programme was introduced, the existing programmes including ACC should no longer be continued as separate schemes. The recommendation of the Committee has been accepted by Government.

(c) It is proposed to introduce the 'National Fitness Corps Scheme' to replace all the existing programmes in Physical Education, National Discipline Scheme and Auxiliary Cadet Corps.

Indo-Pak. Home Ministers' Conference

*597. **Shrimati Savitri Nigam:** Will the Minister of **External Affairs** be pleased to state whether any final date has been fixed for the Conference of Home Ministers of India and Pakistan?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): No, Sir.

Decentralisation of Powers in the P. & T. Department

*598. **Shri D. D. Puri:**
Shri Ram Harkh Yadav:
Shri Murli Manohar:
Shrimati Savitri Nigam:

Will the Minister of **Communications** be pleased to state:

(a) whether any positive steps have been devised to decentralise powers in the Posts and Telegraphs Department to remove the ills out-lined in his address at the recent Conference of Heads of Posts and Telegraphs Circles;

(b) if so, the broad outlines thereof; and

(c) the mode of their implementation?

The Deputy Minister in the Department of Communications (Shri Bhagavati): (a) to (c). The matter has been taken up for consideration.

Acquisition of Land in Cantonments

*599. **Shrimati Akkamma Devi:** Will the Minister of **Defence** be pleased to state:

(a) the names of the Cantonments in the Southern States where Government had acquired land on a 99-year lease basis;

(b) the area involved in each case and the terms and conditions laid down for its acquisition;

(c) whether Government have received any representations from the affected parties requesting either for compensation being paid in respect of such lands at the current market rates or grant of land for land; and

(d) if so, the action taken or proposed to be taken thereon?

The Minister of Defence (Shri Y. B. Chavan): (a) There is no Cantonment in the Southern States where lands were acquired on 99-years' lease basis.

(b) Does not arise.

(c) Representations were received from certain residents of Jagthala village of Nilgiris District Madras for the return of 2,000 acres of land in Wellington Cantt. which they claimed had been acquired from their forefathers on a lease for 100 years. In the alternative they requested for the payment of the present market value of the land or land in exchange.

(d) A lump sum amount of Rs. 4743:75 in lieu of the annuity of Rs. 165/- was offered to the persons affected. The persons declined the offer and have filed a suit against Government which is being defended. The matter is *sub-judice*.

Money Orders for Nehru Memorial Fund

*600. **Shri Hari Vishnu Kamath:** Will the Minister of **Communications** be pleased to state:

(a) whether orders have been passed exempting money orders addressed to the Secretary, Nehru Memorial Fund, from money order commissions; and

(b) if so, the reasons therefor?

The Deputy Minister in the Department of Communications (Shri Bhagavati): (a) Yes, Sir.

(b) In order to encourage contributions for a very laudable purpose.

Use of U.S. Arms by Pakistan

*601. **Shri D. C. Sharma:** Will the Minister of **External Affairs** be pleased to state:

(a) whether Government of India have protested to the United States Government against the use of U.S. arms by the Pakistani troops on the cease-fire line in Kashmir; and

(b) if so, the reaction of the U.S. Government thereto and the nature of reply received, if any?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) Yes, Sir. Our Ambassador in the United States has taken up the matter with the U.S. Government verbally as well as in writing.

(b) The reaction of the U.S. Government is awaited.

Truce in Nagaland

*602. **Shri P. C. Borooah:**
Shri D. C. Sharma:
Shri Surendra Pal Singh:
hri Yashpal Singh:

Will the Minister of **External Affairs** be pleased to state:

(a) whether the Nagaland Peace mission has asked the Government to extend the so-called Truce period in Nagaland further; if so, to what extent;

(b) what is the Government's reaction thereto; and

(c) whether the date for the next round of talks with the Naga hostiles has been fixed?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) No proposal to extent the period of suspension of operations beyond the 8th January, 1965 has been received from the Peace Mission.

(b) Does not arise.

(c) The next meeting is expected to take place towards the end of the month.

Commonwealth Prime Ministers' Conference (1964)

*603. **Shri Harish Chandra Mathur:** Will the Minister of **External Agairs** be pleased to state:

(a) what is the follow-up action on the recent Commonwealth Prime Ministers' Conference;

(b) whether any fresh proposals for strengthening the Commonwealth relationship have been made by the new Labour Government of the U.K.;

(c) what is the nature of such proposals if any, and our reaction thereto; and

(d) whether this matter has been discussed by the Prime Minister with the U.K. and other Commonwealth countries?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) A statement is placed on the Table of the House. [*Placed in Library. See* No. LT-3684/64].

(b) No, Sir.

(c) Does not arise.

(d) No, Sir.

Telephone Tariff

*604. **Shri P. R. Chakraverti:** Will the Minister of **Communications** be pleased to state:

(a) whether the Posts and Telegraphs Department has taken steps to review the telephone tariff structure;

(b) when the last review was made; and

(c) how far the telephone installation charges are being recovered from the subscribers?

The Deputy Minister in the Department of Communications (Shri Bhagavati): (a) Yes.

(b) The tariffs for local telephone services were last reviewed in 1960 and revised traiffs were brought into effect from 1-4-1960.

(c) A specific lump charge of Rs. 40/- for each telephone connection is levied as installation charge.

वार्षिक रेडियो सप्ताह तथा संगीत सम्मेलन

*605. **श्री प्रकाशवीर शास्त्री :**
श्री हुकम चन्द कछवाय :
श्री बड़े :
श्री यु० द० सिंह :
श्री काशीराम गुप्त :
श्री गौरी शंकर कक्कड़ :

क्या **सूचना और प्रसारण** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या इस वर्ष वार्षिक रेडियो सप्ताह तथा संगीत सम्मेलन का आयोजन नहीं किया गया है;

(ख) यदि हां, तो इसके क्या कारण हैं; और

(ग) इस पर प्रति वर्ष कितना धन व्यय होता था तथा इस वर्ष उस का आयोजन न करने से अनुमानतः कितनी बचत होगी ?

सूचना और प्रसारण मंत्री (श्रीमती इन्दिरा गांधी) : (क) जी, हां ।

(ख) ऐसे समय जब कि जनता कठिन खाद्य समस्या का सामना कर रही थी, यह उचित न समझा गया कि हम कोई मनोरंजन का बड़ा उत्सव मनायें ।

(ग) संगीत सम्मेलन, 1963 और रेडियो सप्ताह, 1962 पर जो खर्च हुआ, वह इस प्रकार है :—

	रुपये
(1) संगीत सम्मेलन, 1963	87,175.68
(2) रेडियो सप्ताह, 1962	1,89,536.03

बचत भी लगभग इतनी ही होगी ।

Firing by Pakistanis

*607. **Shri P. C. Borooah:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that the Pakistani troops opened fire on the Indian soldiers with machine guns in the Tithwal Sector on Monday, the 7th December, 1964;

(b) if so, the number of casualties suffered on either side; and

(c) Government's reaction thereto?

The Minister of Defence (Shri Y. B. Chavan): (a) Yes, Sir.

(b) Four Pakistani-occupied-Kashmir soldiers are presumed to have been wounded. There were no casualties on our side.

(c) The U.N. Observers have been informed about this incident. Necessary defensive measures are taken by our Security Forces to check such incidents by the Pakistanis.

युद्ध विराम रेखा का उल्लंघन

*608. श्री हुकम चन्द कछवाय :
श्री विश्राम प्रसाद :
श्री जसवन्त मेहता :
श्री यु० द० सिंह :
श्री शिवमूर्ति स्वामी :
श्री नि० चं० चटर्जी :
श्री ओंकार लाल बेरवा :
डा० मा० श्री० अणे :
श्री शिंकरे :
श्री काशीराम गुप्त :
श्री बड़े :
श्री प्र० चं० बरुआ :

क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 4 से 7 दिसम्बर, 1964 के चार दिनों में जम्मू तथा काश्मीर में युद्ध-विराम रेखा का पाकिस्तानियों ने 20 बार उल्लंघन किया था; और

(ख) यदि हां, तो इस बारे में भारत सरकार ने क्या कार्यवाही की है ?

प्रतिरक्षा मंत्री (श्री यशवन्त राव चव्हाण) : (क) जी नहीं । इस अवधि में पाकिस्तानियों ने युद्ध विराम रेखा का 6 बार उल्लघन किया, और उसके पश्चात् गोलियां चलाई । इस के अतिरिक्त, उसी अवधि में, पाकिस्तानियों ने युद्ध विराम रेखा के उस पार से 29 अवसरों पर गोली भी चलाई ।

(ख) अतिक्रमी हमारी सुरक्षा सेनाओं द्वारा भगा दिये गये थे । जहां आवश्यकता पड़ी, हमारी सुरक्षा सेनाओं ने उत्तर में गोली चलाई । इसके अतिरिक्त, इन घटनाओं से, अन्तर्राष्ट्रों के पर्यवेक्षकों को सूचित भी कर दिया गया था ।

Anti-Indian Propaganda by China

*609. **Shri Harish Chandra Mathur:** Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that China has intensified her anti-Indian activities and propaganda since Cairo Conference of non-aligned nations held in October, 1964;

(b) if so, its *modus operandi;* and

(c) whether Government propose to take any special measures to counteract this propaganda?

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): (a) to c). The Chinese have been carrying on intense propaganda against India ever since their attack against India in 1962. They have particularly criticised India's role at the Non-Aligned Conference in Cairo *vis-a-vis* our stand on peaceful co-existtence and China's nuclear explosion. The Chinese propaganda is carried on through the usual media of publicity, namely, by handouts, Radio broadcasts and publications. Our Information Services abroad are counteracting the Chinese propaganda by issuing news bulletins, brochures, pamphlets and other publicity material. All India Radio is also counteracting the Chinese propaganda.

Sainik Co-operative Housing Societies

1610. Shri Rama Chandra Mallick: Will the Minister of **Defence** be pleased to state:

(a) the total number of "Sainik Co-operative Housing Societies" functioning in the country at present;

(b) whether any financial assistance has been sanctioned for the development of these societies during 1963-64 and 1964-65; and

(c) if so, the amount sanctioned or proposed to be sanctioned therefor?

The Minister of Defence (Shri Y. B. Chavan): (a) The Sainik Cooperative House Building Society (Delhi) is a multi-unit society established at the instance of the Resettlement Directorate of the Ministry of Defence and it has at present two branches in outstations. Apart from them, there are a number of Sainik Cooperative House Building Societies functioning at other stations and not affiliated to the Sainik Cooperative House Building Society (Delhi). Information about the actual number of such societies is not available.

(b) and (c). No financial assistance has been sanctioned so far nor is any proposal for grant of financial assistance under consideration of Government at present.

Land for Soldiers in Orissa

1611. Shri Rama Chandra Mallick: Will the Minister of **Defence** be pleased to state:

(a) the number of soldiers who have been given agricultural land in Orissa so far and the number of applications under consideration as on the 30th October, 1964; and

(b) the possibility of their receiving the land?

The Minister of Defence (Shri Y. B. Chavan): (a) and (b). The information is being collected from the State Government and will be laid on the table of the House, on receipt.

Employees and Staff Artistes in Cuttack and Sambalpur Radio Stations

1612. Shri Rama Chandra Mallick: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the total number of staff artistes and employees of the Cuttack and Sambalpur (Orissa) Stations of the All India Radio; and

(b) the total number of staff artistes and employees among them belonging to Scheduled Castes and Scheduled Tribes as on the 30th October, 1964?

The Minister of Information and Broadcasting (Shrimati Indira Gandhi):

Station	Staff artistes	Employees	Total
(*a*) Cuttack .	51	114	165
Sambalpur	..	39	39

Station	Total number of Staff Artistes and employees belonging to :	
	Scheduled Castes	Scheduled Tribes
(*b*) Cuttack .	25	2
Sambalpur .	12	..

Termination of Services of Jawans

1613. { Shri A. V. Raghavan: / Shri Pottekkatt:

Will the inister of **Defence** be pleased to state:

(a) whether there is any right of appeal, review or revision available to Jawans whose services are terminated on the basis of adverse Police verification reports;

(b) whethe any oppotunity is given to the Jawans to establish their innocence before final order of discharge is served;

(c) how far the present rules satisfy the principles of natural justice guaranteed by the Constitution; and

(d) whether a copy of the order is served on the Jawans concerned?

The Deputy Minister in the Ministry of Defence (Dr. D. S. Raju): (a) and (b). The individuals are recruited to the Armed Forces provisionally, subject to satisfactory verification reports being received later. Where the report is not satisfactory, the individual is discharged. The individual affected is at liberty to represent against the order of discharge from his "provisional" service.

(c) There is nothing against natural justice in this procedure, as the disciplinary action is involved. Government has to satisfy itself about the suitability of every candidate for Government employment.

(d) The individual is given a discharge certificate.

Joint Ventures between India and Uganda

1614. { **Shri Ram Harkh Yadav:** / **Shri Murli Manohar:**

Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that Dr. V. K. R. V. Rao of the Planning Commission had been invited by the Uganda Government to advise them on Technical and Economic Plans;

(b) if so, whether he has submitted any report to the Government of India suggesting measures for joint ventures and cooperation between the two countries; and

(c) if so, the details thereof?

The Minister of External Affairs (Shri Swaran Singh): (a) Dr. V. K. R. V. Rao visited Uganda for about a fortnight in November, 1964 at the invitation of the Government of Uganda to advise that Government on the implementation of their current five year plan and the drawing up of the second five year plan.

(b) and (c). Dr. Rao has not yet submitted his report on his visit to Uganda.

Central Drama Troupe

1615. { **Shri Ram Harkh Yadav:** / **Shri Murli Manohar:**

Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether it is a fact that the Central Drama Troupe will stage 3 dramas relating to Defence and Plan Publicity at Jaipur in the near future;

(b) if so, the details of the drama; and

(c) the estimated expenditure involved?

The Minister of Information and Broadcasting (Shrimati Indira Gandhi): (a) As part of its normal activities, the Central Drama Troupe recently toured various places in Rajasthan and *inter alia* staged the following plays in Jaipur during the period 6th to 13th December, 1964:—

(i) 'Chaurahe Par' & 'Aaram Rajya'.

(ii) 'Kohinoor-ka-Lutera'.

(iii) 'Aaram'.

(iv) 'Dharamshala'.

(b) Details of the themes of the dramas are given below:—

"Chaurahe Par"

A one-Act play based on the life of industrial labour against the background of their jealousies and disputes vividly bringing out the necessity of Small Savings.

"Aaram Rajya"

A one-Act play stated in folk style covering publicity of National Savings Scheme, better methods of agriculture and propaganda against tax evasion and black-marketing.

"Koh-i-Noor ka Lutera"

A full length 3-Act play against the background of Nadirshah's invasion of Delhi and the consequent loss of KOH-I-NOOR to India, bringing out

Hindu-Muslim unity and the solidarity of the country so necessary to avoid the foreign aggression.

"Aaram"

A humorous 3-Act play with a message to both the idle rich and the disgruntled poor that there is not only dignity in labour but hard work is the salt of life.

"Dharamshala"

A social comedy in 3-Acts which shows the unity in diversity. How one criticises the dress, mode of living and other unimportant matters of people coming from other parts of the country though these things have really no bearing on the quality or character of the person.

(c) The expenditure involved in roughly estimated to Rs. 3000/-

Films on the Lives of Indian Leaders

1616. Shri E. Madhusudan Rao: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether there is any proposal to produce full length films on the lives of Mahatma Gandhi, Netaji Subhash Chandra Bose, Sardar Patel and the late President Dr. Rajendra Prasad; and

(b) if so, the details thereof?

The Minister of Information and Broadcasting (Shrimati Indira Gandhi): (a) and (b). The Gandhi Smarak Nidhi is producing a full length biographical documentary of about 20-22 reels on Mahatma Gandhi in collaboration with the Films Division. Fourteen reels pertaining to the period up to 1931 have already been completed. The film is expected to be completed by the end of 1965.

A feature film in colour on Mahatma Gandhi based on the book by Louis Fischer and the screenplay by Gerald Hanley is also being produced by Mr. Richard Attenborough of Indo-British Films Ltd., England. It will be shot in India, Africa and at a British Studio and is projected to cost £ 6 million.

As regards Netaji Subhash Chandra Bose, it is understood that M/s Bharti Chittran (Private) Ltd., Calcutta, are producing a film on him.

There is no proposal at present for production by Government of films on the lives of Netaji Subhash Chandra Bose, Sardar Patel and the late President Dr. Rajendra Prasad.

Employment Exchanges in Andhra Pradesh

1617. Shri E. Madhusudan Rao: Will the Minister of **Labour and Employment** be pleased to state:

(a) the number of Employment Exchanges working in Andhra Pradesh as on the 31st October, 1964;

(b) the number of persons registered in each Exchange category-wise during the above period; and

(c) the number of persons who have been given employment category-wise through each exchange during the period October, 1963 to October, 1964?

The Minister of Labour and Employment (Shri D. Sanjivayya): (a) .22 (excluding the Special Exchange for the Physically Handicapped).

(b) and (c). Statistics in respect of educated applicants are collected on a half-yearly basis so as to relate to half-years ending June and December of each year. A statement showing the latest available information is laid on the Table of the House. [*Placed in Library. See* No. LT-3685/64].

Post Offices in Andhra Pradesh

1618. Shri E. Madhusudan Rao: Will the Minister of **Communications** be pleased to state:

(a) the number of Head, Branch and sub-Post Offices and Public Call Offices in Andhra Pradesh as on the 31st October, 1964; and

(b) their names and locations?

The Deputy Minister in the Department of Communications (Shri Bhagavati): (a)

Head Offices	31
Branch Offices . .	10,728
Sub Offices . .	1,217
Public Call Offices—	
(Long distance)	108
(Local) . .	429

(b) Their names and locations have been incorporated in the Post Office Guide (Part III).

जवानों और अफसरों के सम्बन्ध

1619. **श्री प्रकाशवीर शास्त्री :**
श्री जगदेव सिंह सिद्धान्ती :

क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सेना के जवानों और अफसरों में निकट सम्पर्क स्थापित करने के कोई प्रयत्न किये गये हैं;

(ख) क्या वेतन के अतिरिक्त व्यवहार में भी कुछ निकटता लाने की कोई योजना बनाई गई है; और

(ग) यदि हां, तो उसका ब्यौरा क्या है ?

प्रतिरक्षा मंत्री (श्री यशवन्तराव चव्हाण) : (क) और (ख). अफसरों तथा अवर-श्रेणी सैनिकों का परस्पर सम्बन्ध यथा-संभव सदा से घनिष्ट रहा है, और है । कई हालतों में अवर-श्रेणी सैनिकों को अफसरों से अधिक सुविधाएं प्राप्त हैं । इस विषय में आवश्यक सलाह मशविरा देने के लिए, प्रबन्ध विद्यमान हैं, और स्थिति सन्तोषजनक समझी गई है ।

(ग) प्रश्न नहीं उठता ।

Gratuity and P. F. Benefits for Shop Employees in Delhi

1620. **Shri Yashpal Singh:**
Shri Hukam Chand Kachhavaiya:

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether a Committee has been appointed by the Delhi Administration to go into the question of grant of gratuity and Provident Fund benefits to the Shop Employees in the capital; and

(b) if so, when this Committee is likely to submit its report?

The Minister of Labour and Employment (Shri D. Sanjivayya): (a) The Labour Advisory Board of the Delhi Administration had appointed a Sub-Committee to go into this matter.

(b) The Sub-Committee submitted its report to the Labour Advisory Board on the 8th October, 1964.

Consumers' Price Index

1621. **Shri P. C. Borooah:** Will the Minister of **Labour and Employment** be pleased to state the consumers' price index at the end of September, October and November, 1964?

The Minister of Labour and Employment (Shri D. Sanjivayya): The All-India (Interim) Working Class Consumer Price Index Numbers (Base 1949-100) for September, 1964 and October, 1964 were 159 and 163 respectively. The index number for the month of November, 1964 is not yet ready.

पश्चिम दिल्ली मुख्य डाकघर के लिये इमारत

1622. **श्री नवल प्रभाकर :** क्या **संचार** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या डाक तथा तार विभाग ने मुख्य डाकघर के लिये पश्चिम दिल्ली में एक इमारत बनाने की मंजूरी दी है;

(ख) यदि हां, तो वह इमारत किस स्थान पर बनाई जायेगी; और

(ग) उस पर कितना व्यय होने का अनुमान है ?

संचार विभाग में उपमंत्री (श्री भगवती) : (क) जी नहीं ।

(ख) तथा (ग). प्रश्न ही नहीं उठते ।

Bharat Earth Movers

1623. { **Shrimati Savitri Nigam:** / **Shri M. L. Dwivedi:** }

Will the Minister of **Defence** be pleased to state the cost of one unit of the Bharat earth mover and the total production thereof per year?

The Minister of Defence Production in the Ministry of Defence (Shri A. M. Thomas): There is no particular equipment known as Bharat Earth Mover. A Company called Bharat Earth Movers Ltd., has been set up on 11-5-1964 under the Ministry of Defence for undertaking the manufacture of heavy earth moving equipment. Pending the construction of the proposed factory at Kolar Gold Fields (Mysore), some assembly work has been undertaken in the Rail Coach Division of Hindustan Aeronautics Ltd., Bangalore. The programme during 1964-65 is to assemble 57 numbers of Model 'C' Tournapull Motorised Scrapers. So far during the current financial year 23 Motorised Scrapers have been assembled.

The estimated sales price of each motorised scraper is Rs. 3.10 lakhs.

Entry of Sadhus into Nagaland

1624. Shri Bhagwat Jha Azad: Will the Minister of **External Affairs** be pleased to state:

(a) whether 'Sadhus' have been barred from entering the State of Nagaland;

(b) whether in any other States of India, their entry is banned; and

(c) the reasons for not allowing them to go to Nagaland?

The Minister of External Affairs (Shri Swaran Singh): (a) Sadhus are not debarred entry into Nagaland. Permits are, however, required for all persons, excepting those on Government duty, who desire to proceed beyond what is known as the 'inner line'.

(b) No, Sir.

(c) Does not arise.

Grant of Passport to Sant Fateh Singh

1625. Maharajkumar Vijaya Ananda: Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that Sant Fateh Singh had applied for a passport for visit to Singapore and Malaysia for collection of funds for Akali Dal;

(b) if so, the grounds on which granting of passport has been refused; and

(c) whether the refusal is only for the present or for all times?

The Minister of External Affairs (Shri Swaran Singh): (a) Sant Fateh Singh applied for passport facilities to visit Malaysia for the purpose of Sikh Missionary work and not for collection of funds for Akali Dal. He was given a passport on 26-10-1964.

(b) and (c). Do not arise.

Reciprocal Tours by the Indian and U.S. Defence Officers

1626. Shri Yashpal Singh: Will the Minister of **Defence** be pleased to state:

(a) whether a proposal for reciprocal tours of the U.S.A. and India by the National Defence College Students and their counterparts in U.S.A. has been received from the Government of U.S.A.;

(b) if so, the details of the proposal; and

(c) the reaction of Government thereto?

The Deputy Minister in the Ministry of Defence (Dr. D. S. Raju): (a) Yes.

(b) The details of the proposal are:

(i) Visits of the students of the Indian National Defence College on one hand and of the

United States National War College and their Industrial College of the Armed Forces on the other may be arranged on a reciprocal basis.

(ii) The United States would pay the expenses of the Indian National Defence College team while in U.S.A. and India would pay the expenses of U.S. students while in India.

(iii) 35 students of the National War College will visit India for 2 days and 7 students of the Industrial College of the Armed Forces will visit India for 12 days. There will be a reciprocal visit of ten days duration by approximately 20 students of the Indian National Defence College to U.S.A.

(c) The proposal could not be accepted due to the difficult foreign exchange position and in view of the recent drive to reduce expenditure.

Prince Yusuf Mirza of Oudh

1627. { **Shri P. Venkatasubbaiah:** / **Shri Yashpal Singh:**

Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that Prince Yusuf Mirza of Oudh has migrated to Pakistan;

(b) if so, whether Government's permission was taken for migration; and

(c) the arrangements regarding the disposal of his properties in India?

The Minister of External Affairs (Shri Swaran Singh): (a) According to information available with the Government of India, Prince Yusuf Mirza has travelled with his family to Pakistan on an emergency certificate issued by the Pakistan Mission in Calcutta. He has not returned to India.

(b) Permission of the Government was not taken for migration to Pakistan. Such permission is not required.

(c) Prince Yusuf Mirza had no landed property in India and disposed of his movable property himself before leaving India.

Wireless Station in Uttarkhand (U.P.)

1628. **Shri Yashpal Singh:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether the Government of Uttar Pradesh have urged the Union Government to set up a high power transmitting wireless station in Uttarkhand Division bordering Tibet for educating the border people on defence and development efforts; and

(b) if so, the reaction of the Government thereto?

The Minister of Information and Broadcasting (Shrimati Indira Gandhi): (a) and (b). A communication from the Government of Uttar Pradesh has been received conveying their feeling about the necessity for improving the medium wave listening in Uttarkhand by setting up a few more powerful transmitting stations. The question is under consideration of the Government of India. Some of the high power transmitters which it has been decided to secure are likely to cover Tibet as well.

बर्मा में मांडले जेल

1629. **श्री विश्वनाथ पांडेय :** क्या **वैदेशिक कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बर्मा सरकार से यह प्रार्थना की गई है कि बर्मा की माण्डले जेल की उस कोठरी को गोदाम में परिवर्तित न किया जाये जिसमें स्वर्गीय लोकमान्य बाल गंगाधर तिलक 7 वर्ष तक नजरबन्द रहे थे; और

(ख) यदि हां, तो इस बारे में बर्मा सरकार की क्या प्रतिक्रिया है ?

वैदेशिक कार्य मंत्री (श्री स्वर्ण सिंह) : (क) लोकमान्य बाल गंगाधर तिलक जिस कोठरी में नजरबन्द किये गये थे, वह अब नहीं रही । बर्मा सरकार ने उस जगह पर एक स्मारक हाल बनवा दिया है जिसके दरवाजे पर संगमरमर का एक पत्थर लगा है जिस पर यह लिखा हुआ है कि लोकमान्य तिलक मांडले जेल में नजरबन्द किये गये थे। मांडले जेल के अधिकारियों द्वारा इस स्मारक की अच्छी तरह देखभाल की जाती है ।

(ख) प्रश्न नहीं उठता ।

Exhibition on India in Berlin

1630. **Shri P. G. Sen:**
Shri Ram Harkh Yadav:
Shri Ram Sewak:

Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that an exhibition on India was held at Berlin on the last birth anniversary of the late Jawaharlal Nehru; and

(b) if so, the special features of this exhibition?

The Minister of External Affairs (Shri Swaran Singh): (a) Yes, Sir.

(b) The exhibition covered the following subjects:—

1. Life and work of the late Prime Minister.
2. Public life in India.
3. Freedom struggle of India.
4. Economic life in India.
5. Five Year Plans.
6. New Projects in India.
7. Art, Dance, Costumes, Jewellery etc. etc.

भारतीय वायु सेना के विमान की दुर्घटना

1631. **श्री हुकम चन्द कछवाय :**
श्री बड़े :
श्री यु० सिं० चौधरी :

क्या **प्रतिरक्षा मंत्री** यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारतीय वायु सेना के प्रशिक्षण (ट्रेनर) विमान की पूर्वी क्षेत्र में 13 नवम्बर, 1964 को दुर्घटना हो गई जिस में भारतीय वायु सेना के दो अफसर मारे गये;

(ख) यदि हां, तो उन अफसरों के नाम क्या हैं; और

(ग) दुर्घटना के क्या कारण थे ?

प्रतिरक्षा मंत्रालय में उपमंत्री (श्री द० स० राज) : (क) जी हां ।

(ख) फ्लाइंग अफसर डी० ओ० रोच तथा फ्लाइंग अफसर ए० के० सरीन ।

(ग) दुर्घटना के कारण की जांच के लिए एक कोर्ट आव इन्क्वायरी आदिष्ट कर दी गई है। कोर्ट आव इन्क्वायरी की रिपोर्ट के प्राप्त होने पर दुर्घटना का कारण मालूम हो सकेगा ।

Appeal by the Prime Minister of British Guiana

1632. **Dr. Ranen Sen:**
Shri Dinen Bhattacharya:
Dr. Saradish Roy:

Will the Minister of **External Affairs** be pleased to state:

(a) whether the Prime Minister of British Guiana, Dr. Jagan, has appealed to the Government of India to take up the question of the constitutional arrangements in British Guiana with the British Government before its Independence to ensure majority rule in the colony; and

(b) if so, the details of the appeal and the reaction of Government thereto?

The Minister of External Affairs (Shri Swaran Singh): (a) Yes, Sir.

(b) Dr. Jagan had suggested that the Commonwealth should be invited

to assist in solving the problems of that colony. He also urged that the British Guiana question should be included in the Agenda of the Commonwealth Prime Ministers' Conference and that he and Mr. Burnham be invited to London for discussions if necessary.

It was felt that the matter could best be settled by the parties concerned in keeping with the wishes of the people and it would not be advisable for the Government of India to take any initiative in the matter in the larger interests of people of Indian origin in British Guiana. Elections were recently held in British Guiana, and the British Government are to convene a Constitutional Conference and fix a date for Independence.

वैदेशिक कार्य मंत्रालय के कर्मचारी

1633. **डा० राम मनोहर लोहिया :**
श्री किशन पटनायक :

क्या **वैदेशिक कार्य मंत्री** यह बताने की कृपा करेंगे कि :

(क) वैदेशिक कार्य मंत्रालय और उससे संबद्ध दफ्तरों में प्रथम, द्वितीय, तृतीय और चतुर्थ श्रेणी में कितने कर्मचारी 1963 की समाप्ति तक अस्थायी थे और उन में से कितने कर्मचारी अक्तूबर, 1964 की समाप्ति तक स्थायी कर दिये गये;

(ख) क्या यह सच है कि अन्य मंत्रालयों के कर्मचारी, विशेषकर तृतीय तथा चतुर्थ श्रेणी के वे कर्मचारी जो 1955 के बाद नियुक्त किये गये हैं, स्थायी बना दिये गये हैं परन्तु वैदेशिक कार्य मंत्रालय में ऐसा नहीं किया गया है; और

(ग) यदि हां, तो इसके क्या कारण हैं ?

वैदेशिक कार्य मंत्री (श्री स्वर्ण सिंह) : (क) मंत्रालय और इसके अधीनस्थ कार्यालयों (नेफा को छोड़ कर) के सम्बन्ध में सूचना इस प्रकार है :

कर्मचारियों की श्रेणी	1963 के अन्त में अस्थायी कर्मचारियों की संख्या	31-10-64 तक स्थायी किये गये कर्मचारियों की संख्या
श्रेणी—I	164	15
श्रेणी—II	797	36
श्रेणी—III	629	1
श्रेणी—IV	374	36

नेफा के बारे में सूचना इकट्ठी की जा रही है और सदन की मेज पर रख दी जायेगी।

(ख) यह सूचना हमारे पास सुलभ नहीं है कि अन्य मंत्रालयों में 1955 के बाद नियुक्त किये गये सारे कर्मचारी स्थायी कर दिये गये हैं या नहीं। बहरहाल, यह सच नहीं है कि विदेश मंत्रालय ने 1955 के बाद नियुक्त किसी व्यक्ति को स्थायी नहीं किया है।

(ग) प्रश्न नहीं उठता।

Training of Naga Hostiles in East Pakistan

1634. **Shrimati Renuka Barkataki:**
Shri Ravindra Varma:

Will the Minister of **External Affairs** be pleased to state:

(a) whether Government's attention has been drawn to the reports that the Government of Pakistan have established a military school in Cox Bazar, East Pakistan to train young Naga Hostiles in guerilla warfare; and

(b) if so, whether Government propose to take up the matter with the Government of Pakistan?

The Minister of External Affairs (Shri Swaran Singh): (a) Government have seen reports in the press that training facilities are being provided

to Naga hostiles at a training school in East Pakistan.

(b) A strong protest was lodged with the Government of Pakistan in May, 1964. That Government replied denying having provided training and other facilities to Naga rebels.

Workers' Education Centre, Bhilwara (Rajasthan)

1635. Shri Shiv Charan Mathur: Will the Minister of **Labour and Employment** be pleased to state:

(a) whether the Government of India have taken a decision to upgrade the present Sub-regional Centre for Workers' education at Bhilwara (Rajasthan) as a full-fledged Regional Centre;

(b) if so, whether the said Centre has been established; and

(c) if not, the reasons therefor?

The Minister of Labour and Employment (Shri D. Sanjivayya): (a) The Board of Governors of the Central Board for Workers' Education in its 18th meeting held on 21st March 1964 decided to convert the existing sub-regional centre at Bhilwara into a full-fledged regional residential centre.

(b) Not yet.

(c) Selection of the Regional Director is under consideration.

Dispensaries in Bhilwara Mica Mining Areas

1636. Shri Shiv Charan Mathur: Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that the dispensaries run by the Mica Mines Labour Welfare Fund, Rajasthan in the Bhilwara mica mining areas are without doctors and other medical staff for the last many years; and

(b) if so, what efforts have been made by Government in this direction and how long it will take to provide qualified doctors and other medical staff in these dispensaries?

The Minister of Labour and Employment (Shri D. Sanjivayya): (a) There has been no shortage of medical staff other than doctors. Difficulties have been experienced due to shortage of Medical Officers. Out of 12 sanctioned posts of Medical Officers, 7 are still vacant.

(b) Efforts were made twice by the U.P.S.C. to select candidates to fill the vacancies. They selected 5 candidates in May, 1962 and another 6 candidates in April, 1963 but only 2 joined. Attempts were also made through Employment Exchanges and advertisement in Newspapers but without result. The posts now form part of the Central Health Service and the Health Ministry recently offered 2 candidates out of whom one has joined. It is hoped that it will be possible to fill the remaining posts after comprehensive selections to the Central Health Services, now being made by the Health Ministry, have been completed.

गाजियाबाद के निकट असालतपुर-फरकनगर सड़क का बन्द किया जाना

1637. **श्री हुकम चन्द कछवाय :**
श्री ओंकार लाल बेरवा :
श्री यु० सिं० चौधरी :
श्री बड़े :

क्या **प्रतिरक्षा** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि असालतपुर-फरकनगर बड़ी सड़क टाटा फैक्टरी के निकट बन्द कर दी गई है क्योंकि गाजियाबाद (उत्तर प्रदेश) के निकट भारतीय विमान सेना का एक हवाई अड्डा बन रहा है;

(ख) यदि हां, तो वर्गर किसी अन्य मार्ग के बनाये उस सड़क को क्यों बन्द किया गया है; और

(ग) नई सड़क कब तक तैयार हो जायेगी और क्या तब तक जनता को पुरानी सड़क प्रयोग करने की अनुमति दी जायेगी ?

प्रतिरक्षा मंत्रालय में उपमंत्री (श्री द० स० राजू) : (क) से (ग). लोनी मार्ग से निकलते हुए असालतपुर–फरकनगर मार्ग के कुछ हिस्से को कालू के बाग के पास, इसके, लोनी मार्ग के संगम से लेकर बन्द कर दिया गया है । इसे इसलिए बन्द कर देना पड़ा, कि यह (गाजियाबाद के निकट) हिण्डन पर निर्माण किये जा रहे, वायु सेना के हवाई अड्डे के संक्रियात्मक क्षेत्र में आ रहा था । जब तक दूसरा मार्ग नहीं बन जाता, असालतपुर के लिए असैनिक यातायात के लिए, हवाई अड्डे की परिक्रमा के अन्दर तैयार किये गये, परिसीमा-मार्ग के प्रयोग के लिए, अस्थायी अनुमति दी गई है । दूसरा मार्ग सी० पी० डब्ल्यू० डी० द्वारा 3-4 मास तक निर्माण किया जायेगा ।

भारतीय वायु सेना के हवाई अड्डे के लिये गाजियाबाद के पास जमीन का अर्जन

1638. **श्री ओंकारलाल बेरवा :**
श्री हुकम चन्द कछवाय :
श्री बड़े :
श्री लू० ला० वर्मा :
श्री यु० सि० चौधरी :

क्या **प्रतिरक्षा** मंत्री यह बताने की कृपा करेंगे कि :

(क) गाजियाबाद के पास भारतीय वायु सेना का जो नया हवाई अड्डा बनाया जा रहा है, उसके लिए जिन लोगों की जमीन ले ली गयी हैं, क्या उनका मुआवजा उन्हें दे दिया गया है;

(ख) यदि हां, तो क्या जिस भूमि में कृषि होती थी और जिस भूमि में बाग आदि थे उनके मुआवजे की दरों में कोई अन्तर है; और यदि हां, तो कितना है; और

(ग) यदि इस भूमि का मुआवजा अब तक नहीं दिया गया है तो इसके क्या कारण हैं और वह कब तक दे दिया जायेगा ?

प्रतिरक्षा मंत्रालय में उपमंत्री (श्री द० स० राजू) : (क) से (ग). आवश्यक भूमि क्षेत्र, भारत रक्षा विधेयक, 1962 के अधीन अधिगृहीत किया गया था, और सितम्बर से दिसम्बर, 1963 के दौरान में विभिन्न तिथियों पर उसका अधिकार प्राप्त किया गया था । स्थायी तौर पर उसे अर्जित करने के लिए कार्य प्रगतिशील है । अधिग्रहण के फलस्वरूप, सम्बन्धित व्यक्तियों को, "खाते पर" 2 लाख रुपये की अदायगी कर दी गई है । खाते की अदायगी में, राजस्व अधिकारियों द्वारा, कृषि योग्य तथा बागीचों के भूमि क्षेत्र में, कोई भेद नहीं बर्ता गया है । भूमि अर्जन के आधार पर भूस्वामियों को दिया जाने वाला, मुआवजा अभी निर्धारित नहीं किया गया, क्योंकि राजस्व अधिकारी, भूमि का बाजारी मूल्य निर्धारित करने के लिए, सामग्री इकट्ठी कर रहे हैं । हो सकता है, कि कृषि योग्य और बागीचों वाली भूमि के लिए देय दरें भिन्न हों, और वह नियमों के अनुरूप निर्धारित किये जायेंगे । आशा है, यह काम 4 मास की अवधि में सम्पूर्ण हो जायेगा ।

Disturbance of Programme of Jullundur Radio Station

1639. **Shri D. C. Sharma:**
Shri Rameshwar Tantia:
Shri Hari Vishnu Kamath:
Shri Prakash Vir Shastri:

Will the **Minister of Information and Broadcasting** be pleased to state:

(a) whether it is a fact that Jullundur Radio Station's programme was disturbed by some unknown radio station on the night of 25th and 26th November, 1964;

(b) whether any investigations have been made into the matter; and

(c) if so, the outcome thereof?

The Minister of Information and Broadcasting (Shrimati Indira Gandhi): (a) No, Sir.

(c) and (c). **Do not arise.**

Chinese Section in A.I.R.

1640. **Shri Kapur Singh:**
Shri Narendra Singh Mahida:
Shri Narasimha Reddy:

Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the details of persons working in the Chinese Section of the A.I.R.; and

(b) whether the Chinese programme has recently been cut, and if so, why?

The Minister of Information and Broadcasting (Shrimati Indira Gandhi): (a) Two Chinese nationals and one Chinese-knowing Indian.

(b) The duration of the Chinese programme has been reduced from one and a half hours to one hour daily, with effect from 24-10-1964 and the programme pattern suitably modified. The reduction has been necessitated by shortage of qualified staff.

N.C.C. College for Lady Officers

1641. **Shri A. V. Raghavan:**
Shri Pottekkatt:

Will the Minister of **Defence** be pleased to state:

(a) whether it is proposed to start a N.C.C. College for Lady Officers at Gwalior;

(b) the number of officers likely to be trained in the College and duration of the training; and

(c) when the College will commence working?

The Deputy Minister in the Ministry of Defence (Dr. D. S. Raju): (a) Yes, Sir.

(b) About 500 lady N.C.C. Officers are proposed to be trained in the following courses every year at the College:

I. 3 *months' Courses*:

Pre-Commision Training Courses for Sernior Wing Lady Officer Cadets (Professors|Lecturers of Colleges).

II. 2 *months' Courses*:

Pre-Commission Training Courses for Junior Wing Lady Officer Cadets (School teachers).

III. 1 *month Courses*:

(a) Refresher Training Courses for lady officers employed on whole time basis.

(b) Refresher Training Courses for Senior Wing Lady Officers.

(c) Refresher Training Courses for Junior Wing lady officers.

(d) Conversion Courses for Junior Wing lady officers volunteering for service in the Senior Wing on whole-time basis.

(e) Conversion Courses for ex-ACC teachers volunteering for service as Junior Wing lady officers.

(c) In March|April, 1965.

Overtime Allowance for Employees of C.O.D. Delhi Cantonment

1642. **Shri P. C. Borooah:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that large arrears of overtime allowances payable to non-industrial workers of the C.O.D. Delhi Cantonment have remained unpaid for more than four years;

(b) if so, to what extent, and under what circumstances; and

(c) the steps being taken to clear out these arrears?

The Deputy Minister in the Ministry of Defence (Dr. D. S. Raju): (a) to (c). The claims of over-time allowance of two hundred and eighty-eight non-industrial employees of the C.O.D., Delhi Cantonment pertaining

to the years 1957, 1958 and 1959 are not yet passed in Audit on the ground that over-time at the rates admissible under the Factories Act is not payable to them. The matter is under further examination.

Foreign Broadcasts

1643. Shri R. Barua: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether any assessment has been made about the effectiveness of our foreign broadcasts with the existing shortwave receiver; and

(b) the steps taken to adopt mediumwave transmission through powerful media for foreign broadcasts to West Asian and neighbouring countries?

The Minister of Information and Broadcasting (Shrimati Indira Gandhi): (a) Yes, Sir. In order, however, to ensure good reception, it has been decided to procure 2 x 250 KW shortwave and 1 x 100 KW shortwave transmitters for installation at Delhi within the Third Five Year Plan.

(b) It has been decided to procure a super high-power mediumwave transmitter for location at Calcutta in addition to the shortwave transmitters mentioned above to cover the countries to the North and South East of India. If a similar service is needed to broadcast to the West Asian countries, another transmitter to be sited either in Bombay or Bhuj would be necessary.

P. and T. Quarters in Kerala Circle

1644. { Shri P. Kunhan: / Shri Nambiar:

Will the Minister of **Communications** be pleased to state:

(a) whether there is any proposal to construct quarters for the Posts and Telegraphs employees in Kerala Circle, especially in Ernakulam and Palghat; and

(b) if so, the details thereof?

The Deputy Minister in the Department of Communications (Shri Bhagavati): (a) Yes.

At Ernakulam land has been acquired. At Palghat land is being searched.

(b) Details are as follows:—

(1) Ernakulam.	A site measuring 5 acres has been acquired to construct 136 quarters
(2) Palghat	Site being searched.
(3) Quilon (4) Munnar (5) Peermade (6) Mattancherry (7) Devicolam (8) Piravam (9) Quilandy	It is proposed to construct some quarters on available sites.
(10) Alleppey (11) Kottayam (12) Trichur (13) Cannanore (14) Mavelikkara	Acqusition of sites has been approved and the acquisition cases are pending with the Revenue authorities.

Sainik School in Kerala

1645. Shri P. Kunhan: Will the Minister of **Defence** be pleased to state:

(a) the number of Harijan students so far selected for admission to the Sainik School in Kerala;

(b) whether any concessions have been given to other Scheduled Caste and Scheduled Tribe students as regards the qualifying examination prescribed for admission to these schools; and

(c) if so, the details thereof?

The Deputy Minister in the Ministry of Defence (Dr. D. S. Raju): (a) Nil.

(b) and (c). Admissions in the Sainik Schools are made on the basis of an All India Entrance Examination in which a candidate has to qualify for admission. Normally, admission is according to the candidates' position

in the merit list. But for candidates belonging to Scheduled Castes|Scheduled Tribes, special concession given is that, all those securing qualifying marks are admitted without regard to their positions in the merit list.

Fair Price Shops

1646. Shri P. Kunhan: Will the Minister of **Labour and Employment** be pleased to state:

(a) whether there are any fair price shops for the supply of rice and other essential articles in establishments employing more than 150 workers in the industrial areas like Palghat, Connanur, Calicut and Alleppey Districts in Kerala;

(b) if so, which are the places; and

(c) if not, the reasons therefor?

The Minister of Labour and Employment (Shri D. Sanjivayya): (a) The Labour Ministry's scheme is for the setting up of fair price shops and co-operative stores in establishments employing 300 or more workers. The Kerala Government have reported that there are now six such fair price shops and 47 co-operative stores in industrial units in the State.

(b) The six fair price shops are in Sentinel Rock Estate, Mepaddi; Poothoomala Estate, Puthumala (2 shops); Amalgamated Coffee Estate, Nemmara; and Kinalloor Estate, Balusseri (2 shops). The 47 co-operative stores are in Trivandrum, Quilon, Kottayam, Alleppey, Ernakulam, Trichur, Palghat, Kozhikode and Cannanore Districts. 17 of these co-operative stores also function as fair price shops.

(c) Some establishments have pointed out that on account of their heavy financial commitments and other responsibilities, it was beyond their capacity to organise fair price shops.

दिल्ली छावनी में भूमिगत नालियां

1647. **श्री बड़े :**
श्री हुकम चन्द कछवाय :
श्री य० सिं० चौधरी :

क्या **प्रतिरक्षा** मंत्री 2 दिसम्बर, 196 के अतारांकित प्रश्न संख्या 914 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) दिल्ली छावनी में भूमिगत नालियों के निर्माण की योजना के बारे में वर्तमान स्थिति क्या है;

(ख) लगभग किस तारीख तक निर्माण कार्य सम्भवतः आरम्भ हो जायेगा; और

(ग) कार्य आरम्भ करने में विलम्ब होने के क्या कारण हैं ?

प्रतिरक्षा मंत्री (श्री यशवन्तराव चव्हाण) : (क) से (ग). आपात स्थिति के कारण, इस पर विचार स्थगित करने सम्बन्धी, अप्रैल 1963 में लिए, निर्णय की वजह से, योजना को अन्तिम रूप देने में कुछ विलम्ब हुआ है। इस निर्णय का, जनवरी 1964 में, पुनरीक्षण किया गया था, और तब से योजना पर विचार हो रहा है। अभी यह बताना संभव नहीं, कि किस तिथि तक काम हस्तगत किये जाने की आशा है ।

दिल्ली छावनी में जमाखोरी के लिए लाइसेंस

1648. **श्री हुकम चन्द कछवाय :**
श्री बड़े :
श्री य० सिं० चौधरी :

क्या **प्रतिरक्षा** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली छावनी बोर्ड द्वारा पास किये गये एक संकल्प के अनुसार वह उन विज्ञापन एजन्सियों और फर्मों आदि पर जमाखोरी लाइसेंस फीस लगा रहा है जिन्होंने छावनी क्षेत्र में अपने विज्ञापन-बोर्ड लगा रखे हैं;

(ख) यदि हां, तो उपरोक्त फीस किस दर से लगायी जा रही है; और

(ग) क्या यह फीस लगाना छावनी बोर्ड एक्ट, 1924 के उपबन्धों या इस अधिनियम के अधीन बनाये गये किन्हीं उपविधियों के अनुसार है ?

प्रतिरक्षा मंत्री (श्री यशवन्त राव चव्हाण) : (क) जी, हां ।

(ख) प्रत्येक संग्रह पर 25 रुपये वार्षिक ।

(ग) जी, हां ।

दिल्ली छावनी बोर्ड द्वारा लिया जाने वाला सफाई शुल्क

1649. **श्री बड़े :**
श्री हुकम चन्द कछवाय :
श्री यु० सिं० चौधरी :

क्या **प्रतिरक्षा** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली छावनी बोर्ड अपने क्षेत्राधिकार के ग्रामीण इलाकों से सफाई शुल्क वसूल कर रहा है ;

(ख) यदि हां, तो क्या यह सच है कि उपरोक्त शुल्क लगाने से छावनी बोर्ड एक्ट, 1924 की धारा 98 के उपबन्धों का उल्लंघन होता है; और

(ग) यदि उपरोक्त भाग (ख) का उत्तर हां में हो, तो इस मामले में सरकार का क्या कार्यवाही करने का विचार है ?

प्रतिरक्षा मंत्री (श्री यशवन्त राव चव्हाण) : (क) जी, हां ।

(ख) जी, नहीं ।

(ग) प्रश्न नहीं उठता ।

छावनी बोर्डों का काम

1650. **श्री यु० सिं० चौधरी :**
श्री हुकम चन्द कछवाय :
श्री बड़े :

क्या **प्रतिरक्षा** मंत्री यह बताने की कृपा करेंगे कि :

(क) पिछले पांच वर्षों में भारत की छावनियों के निर्वाचित सदस्यों से छावनी बोर्डों के कार्यपालिका पदाधिकारियों के विरुद्ध प्रतिरक्षा मंत्रालय तथा विभिन्न सेना कमानों को कितनी शिकायतें प्राप्त हुईं;

(ख) ये शिकायतें किस प्रकार की थीं; और

(ग) उनके बारे में सरकार को क्या प्रतिक्रिया है ?

प्रतिरक्षा मंत्री (श्री यशवन्त राव चव्हाण) : (क) से (ग). सूचना इकट्ठी की जा रही है और यथासमय सभा के पटल पर रख दी जायेगी ।

नागालैंड के बारे में माइकेल स्काट की पुस्तक

1651. **श्री प्रकाशवीर शास्त्री :**
श्री हुकम चन्द कछवाय :
श्री स० मो० बनर्जी :
श्री काशी राम गुप्त :
श्री शिवमूर्ति स्वामी :
श्री जगदेव सिंह सिद्धान्ती :
श्री यशपाल सिंह :
श्री बड़े :

क्या **वैदेशिक-कार्य** मंत्री यह बताने की कृपा करेंग कि :

(क) क्या सरकार को इस बारे में कोई जानकारी है कि माईकेल स्काट ने नागालैंड के बारे में एक पुस्तक लिखी है अथवा लिखने का विचार कर रहे हैं; और

(ख) यदि हां, तो उसका ब्यौरा क्या है ?

वैदेशिक-कार्य मंत्री (श्री स्वर्ण सिंह) : (क) जी, नहीं ।

(ख) प्रश्न नहीं उठता ।

कोटा में सैनिक प्रशिक्षण केन्द्र

1652. **श्री ओंकार लाल बेरवा** : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि कोटा, राजस्थान, में एक सैनिक प्रशिक्षण केन्द्र है;

(ख) क्या सरकार का उसे किसी दूसरी जगह ले जाने का विचार है; और

(ग) यदि हां, तो उसके क्या कारण हैं ?

प्रतिरक्षा मंत्रालय में उपमंत्री (डा० व० स० राजू) : (क) जी, हां ।

(ख) तथा (ग). कोटा में इस समय गार्ड्ज प्रशिक्षण केन्द्र तथा अभिलेख कार्यालय स्थित है । चूंकि वर्तमान वास्य भवन इस केन्द्र और उसकी सहायी यूनिटों के लिए पर्याप्त नहीं है, साथ ही, चूंकि, इस स्थान पर प्रसार की और गुंजाइश नहीं है, फैसला किया गया है, कि केन्द्र को किसी और स्थान पर तबदील किया जाये, कि जहां वास्य भवन और प्रतिरक्षा भूक्षेत्र प्राप्य हों । कोटा में विमुक्त किया गया स्थान अन्य सैनिक यूनिटों द्वारा प्रयोग में लाया जायेगा ।

Lino Operators of G.O.I. Press

1653. **Shri Onkar Lal Berwa:**
Shri Hukam Chand Kachhavaiya:
Shri J. B. S. Bist:

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that a dispute on the question of revision of pay-scales of Lino Operators of the Government of India Press, New Delhi was referred to the Conciliation Officer (Central), Delhi for conciliation and that the said Conciliation Officer submitted his failure report to the Ministry of Labour and Employment on the 17th November, 1962;

(b) whether it is also a fact that the dispute has not so far been referred to adjudication; and

(c) if so, the reasons for the delay?

The Minister of Labour and Employment (Shri D. Sanjivayya): (a) Yes.

(b) Yes.

(c) As one of the contentions of Lino Operators in this case was that the private presses offered better scales of pay, the matter had to be examined in detail in consultation with the administrative Ministry so as to make a comparative study of the pay-scales and other monetary benefits, minimum out-turn expected, avenues of promotion etc. in Government of India Presses and private presses of repute. This information was compiled. In the meantime, the Ministry of Works & Housing constituted in November 1963 a Committee for Categorisation of Government of India Press Workers. As the recommendations of the Committee will have a bearing on the question of revision of pay-scale of individual categories of workers, the matter will be examined further in the light of the report of Categorisation Committee which is expected to be received by the end of December, 1964.

Publication on Christianity

1654. **Shri P. C. Borooah:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether the Publications Division of the Ministry of Information and Broadcasting brought out any publications on Christianity on the occasion of the Eucharist Congress; and

(b) if so, how many; and what aspects of Christianity were high lighted therein?

The Minister of Information and Broadcasting (Shrimati Indira Gandhi): (a) and (b). Yes, Sir; on the occasion of the Eucharistic Congress, Bombay, the Publications Division of this Ministry published 75,000 copies of a booklet titled "Christianity in India", which gives information about the growth of Christianity in the tolerant climate of this country. It also gives the total number of Christians, their State-wise distribution and the place they occupy in the life of the country. The rights and privileges enjoyed under the Constitution by the Christian community in the educational and other spheres have been highlighted, as also their contribution in the field of education and social work.

Indian Repatriates from Burma

1655. **Shri D. C. Sharma:**
Shri P. C. Borooah:

Will the Minister of **External Affairs** be pleased to state:

(a) whether a ship carrying Indian repatriates from Burma has arrived during the first-second week of December;

(b) if so, how many repatriates have arrived in that ship and the average extent of belongings per head brought by them; and

(c) how many more Indians are left awaiting repatriation?

The Minister of External Affairs (Shri Swaran Singh): (a) Yes, Sir.

(b) 1,773 passengers (including infants) arrived in that ship. The repatriates carried only limited quantities of personal effects. The average value per head of these effects is estimated to be Rs. 500.

(c) Approximately 1,20,000 Indian nationals are awaiting repatriation to India.

भारतीय सेना या नौसेना में ईसाई धर्म का प्रचार

1656. **श्री बड़े** : क्या **प्रतिरक्षा** मंत्री यह बताने की कृपा करेंग कि :

(क) क्या भारतीय सेना अथवा नौसेना में ईसाई धर्म का प्रचार करने के लिए कुछ धर्म प्रचारकों को अनुमति दी गई है;

(ख) क्या इसी तरह की अनुमति किन्हीं अन्य धम प्रचारकों को भी दी गई है;

(ग) देश के किन-किन नौ-सैनिक प्रशिक्षण केन्द्रों में ईसाई धर्म प्रचारक इस समय काम कर रहे हैं; और

(घ) क्या ईसाई बनाने के बारे में उन्हें कोई शिकायतें मिली हैं ?

प्रतिरक्षा मंत्री (श्री यशवन्तराव चव्हाण) : (क) तथा (ख). जी नहीं । तदपि सेना में प्रत्येक धर्म सम्प्रदाय के लिए एक की दर से धर्म-शिक्षक उपलब्ध किये जाते हैं, अगर अफसरों को छोड़ कर किसी यूनिट के सेविवर्ग की संख्या 120 से कम न हों, तो । सेना में पादरी, स्थान के आधार पर उपलब्ध किये जाते हैं, और किसी स्थान में सभी यूनिटों के लिए भी । इन धर्म-शिक्षकों के कतव्य हैं शवयात्राओं में सम्मिलित होना, हस्पताल में रोगियों के लिए प्रार्थना करना, रोग से स्वस्थ हो रहे व्यक्तियों के साथ प्रार्थनाएं करना, सैनिक कारावासों में दण्ड भुगत रहे सैनिकों को मिल कर उन्हें उपदेश देना, या कभी-कभी कारागार बैरकों में जाना, सैनिकों के अपने-अपने वर्गों के कल्याण के लिए उपदेश देना, इत्यादि ।

(ग) प्रश्न नहीं उठता ।

(घ) जी नहीं ।

P. & T. Staff Quarters at Warangal

1657. Shri E. Madhusudan Rao: Will the Minister of **Communications** be pleased to state:

(a) the number of different categories of P. & T. staff quarters at Warangal, Hanamkonda and Kazipet;

(b) the number of persons who were not provided accommodation as on the 31st December, 1963; and

(c) the number of staff quarters being built in these towns?

The Deputy Minister in the Department of Communications (Shri Bhagavati):

(a)	Warangal	Hanamkonda	Kzipet
Type I	2	..	..
Type II	5	3	1
(b)	63	59	104

(c) Land to the extent of 3720 sq. yds. at Kazipet is being acquired for construction of 20 quarters.

Impact of Chinese Nuclear Weapons

1658. Shri Harish Chandra Mathur: Will the Minister of **Defence** be pleased to state:

(a) the steps taken by Government to evaluate the impact and implications of the Chinese nuclear weapons in the context of our Defence; and

(b) what are Government's conclusions?

The Minister of Defence (Shri Y. B. Chavan): (a) The Chiefs of Staff have been asked to make an evaluation of the impact of the Chinese nuclear explosion and their interim report has been received. This problem would, however, need to be studied continuously.

(b) P.M. has already explained in the House Government's approach to this problem.

Firing on Indian Fishing Boat

1659. Shri Sezhiyan: Will the Minister of **External Affairs** be pleased to refer to the reply given to Unstarred Question No. 11 on the 7th September, 1964 regarding firing by Ceylon Naval launch guards at an Indian fishing boat on the 20th March, 1964 and state:

(a) whether any reply has since been received from the Government of Ceylon;

(b) if so, the details thereof; and

(c) the action taken by Government thereon?

The Minister of External Affairs (Shri Swaran Singh): (a) No, Sir.

(b) and (c). Do not arise.

Manufacture of Micro-wave Equipment by the I.T.I. Bangalore

1660. Shri R. Barua:
Shri L. N. Bhanja Deo:

Will the Minister of **Communications** be pleased to state:

(a) whether the Indian Telephone Industries, Bangalore have taken up any scheme to produce micro-wave equipment; and

(b) if so, when the plant will go into commission?

The Deputy Minister in the Department of Communications (Shri Bhagavati): (a) Yes, Sir.

(b) The plant is expected to go into production during the year 1965-66.

U.S.-Cambodia Talks

1661. Shri Rameshwar Tantia: Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that U.S.-Cambodia talks were recently held in New Delhi for settling the disputes between the two countries;

(b) if so, the kind of assistance India was asked to give;

(c) whether India also participated in the talks; and

(d) in what way India helped them to solve the differences?

The Minister of External Affairs (Shri Swaran Singh): (a) Yes, Sir. The talks between the representatives of the Royal Government of Cambodia and the Government of the United States of America took place in New Delhi from the 8th to 17th December, 1964.

(b) At the request of both the Governments, the Government of India agreed to provide facilities for these talks for which a wing of Hyderabad House was placed at the disposal of the two Delegations.

(c) and (d). India did not participate in the talks.

Cyprus

1662. Shri Rameshwar Tantia: Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that India's support has been sought by the Cyprus Government;

(b) if so, whether it is also a fact that a delegation in this regard visited India; and

(c) if so, whether the Government of India has assured her support on the question of Cyprus which is coming before the U.N. General Assembly in February, 1965?

The Minister of External Affairs (Shri Swaran Singh): (a) Yes, Sir.

(b) Yes, Sir, a three man delegation visited India from 4th to 7th December, 1964.

(c) Yes, Sir.

Pension Rates of Ex-Servicemen

1663. Shri Hem Raj: Will the Minister of **Defence** be pleased to state:

(a) the number of Ex-servicemen who have migrated from Pakistan to India after Partition;

(b) whether it is a fact that the temporary increase in pension granted to the Ex-servicemen in India is not extended to such ex-servicemen who have migrated from Pakistan; and

(c) if so, the reasons therefor?

The Minister of Defence (Shri Y. B. Chavan): (a) The information is not available.

(b) No, Sir. The temporary increases in pension at the rates admissible to Indian pensioners have been sanctioned by Government with effect from 1st June, 1963 to displaced military pensioners who are now residing in India and who are in receipt of pension in India on behalf of the Government of Pakistan provided that they had migrated to India by 30th June, 1955. The *ad hoc* increases in pension admissible to Indian military pensioners have also been sanctioned to these displaced military pensioners with effect from 1st September, 1964.

(c) Does not arise.

Extra Departmental Staff in P. & T. Department

1664. Shri P. Kunhan: Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that a number of employees are working in P. & T. Department for the last ten years as extra departmental staff;

(b) whether any representation was made to Government to consider the qualified hands among these employees for permanency; and

(c) whether there is any proposal to give preference to the Extra Departmental employees for appointment to the Class IV cadre instead of making direct recruitment?

The Deputy Minister in the Department of Communications (Shri Bhagavati): (a) Yes, Sir.

(b) Representations for permanent absorption of Extra Departmental

staff possessing the minimum educational qualifications prescribed for outside candidates have been received.

(c) Extra Departmental Staff, fulfilling certain conditions, are already given preference over outside recruits for absorption in class IV cadre.

Housing Scheme for Coal Miners

1665. **Shri Umanath:**
Shri Laxmi Dass:
Shri M. N. Swamy:
Shri P. Kunhan:

Will the Minister of **Labour and Employment** be pleased to state:

(a) the progress made so far by the Coal Mines Labour Welfare Fund in its "Build Your Own House" scheme for the coal Miners;

(b) whether in some coal fields this scheme has not been implemented; and

(c) if so, the reasons therefor?

The Minister of Labour and Employment (Shri D. Sanjivayya): (a) and (b). One thousand houses were sactioned for construction under the scheme in December, 1962. Applications were invited but the response has been poor. Only 31 houses have been allotted, out of which 1 has been constructed and 3 are under construction.

(c) It has been represented that the subsidy payable under the scheme *viz.* Rs. 325 is rather low. The question of raising the subsidy is under consideration.

Safety Boots for Singareni Coal Miners

1666. **Shri Umanath:**
Shri Laxmi Dass:
Shri M. N. Swamy:
Shri P. Kunhan:

Will the Minister of **Labour and Employment** be pleased to state:

(a) the number of miners working in Singareni collieries during 1964-65; and

(b) the number of miners supplied with safety boots?

The Minister of Labour and Employment (Shri D. Sanjivayya): (a) 31,982, of whom 19,329 are eligible for the supply of safety boots.

(b) Orders have been placed for 19,329 pairs, 8,997 pairs have been received so far, and 1,900 miners have already been supplied with boots.

Broadcasting Stations

1667. **Shri M. Rampure:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the number of relaying and broadcasting stations sanctioned during the Third Plan; and

(b) how many of them have already started functioning and the location of each station?

The Minister of Information and Broadcasting (Shrimati Indira Gandhi): (a) Under the Third Plan, sanction has been accorded to the setting up of 20 centres for the relay of primary channel, 30 centres for the relay of Vividh Bharati programmes and 6 full-fledged broadcasting Stations.

(b) 12 centres for relay of primary channel, 18 for relay of Vividh Bharati programmes and 4 broadcasting stations have already been commissioned into service. A statement is placed on the Table of the House. [*Placed in Library. See* No. LT-3686/64].

Pensioners from Zanzibar

1668. **Shri Dighe:** Will the Minister of **External Affairs** be pleased to state:

(a) whether Government of India are aware of the fact that the Ex-Government Pensioners from Zanzibar residing in India are not getting their pensions from the Tanzania Government for the past few months;

(b) whether Government have received any representations from these Indian employees in this behalf; and

(c) whether Government have taken up the matter with the Government of Tanzania and if so, the result thereof?

The Minister of External Affairs (Shri Swaran Singh): (a) Yes, Sir.

(b) Yes, Sir.

(c) The Government of India have, on humanitarian grounds, taken up this matter with the Government of Tanzania as well as the British Government on whom the ultimate responsibility for the payment of these pensions lies. The British Government are understood to have offered a grant-in-aid to the Government of Tanzania to enable them to meet the pension and allied liabilities. This amount, it is hoped, will also cover pension claim of the persons now resident in India.

Development of NEFA

1669. **Shrimati Renuka Barkataki:**
Shri Ram Harkh Yadav:
Shri Murli Manohar:

Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that the NEFA administration has drawn up a Rs. 14 crore Plan for the integrated development of the NEFA; and

(b) if so, the main features of the Plan?

The Minister of External Affairs (Shri Swaran Singh): (a) and (b). The correct position is that the NEFA Administration are now in the process of finalising the draft of the Fourth Five-Year Plan. The total outlay proposed by the NEFA Administration is anticipated to be over Rs. 17 crores.

In the draft of the Fourth Plan, emphasis is likely to be on development activities like, Agriculture, Animal Husbandry, Communications and Welfare Services.

Dehu Road Defence Depot

1670. **Shri Bade:**
Shri Hukam Chand Kachhavaiya:
Shri Lahri Singh:

Will the Minister of **Defence** be pleased to state:

(a) the number of cases of theft in Dehu Road Defence Depot;

(b) whether it is a fact that the Military guards were attacked by thieves by throwing of bombs on them on the 1st December, 1964;

(c) the number of bombs stolen or found missing from the said depot; and

(d) whether complaints have been received by the influential residents of Dehu Road Camp regarding such thefts and that influential persons were involved in them?

The Minister of Defence (Shri Y. B. Chavan): (a) None.

(b) No, Sir. However, at about 0405 hours on 26th November, 1964 a D.S.C. Sentry while on his patrolling, observed two boxes lying close to the perimeter. A little later, he heard a sound in the recovery shed of Ammunition Technical Area about six yards from the perimeter. He then raised an alarm on hearing of which two D.S.C. personnel rushed to the spot. One of them, with the help of torch saw a man inside the recovery shed and challenged him three times. But the man did not answer the challenge and instead he growled at him threateningly and threw burnt fuze at the sentry. The sentry escaped a direct hit. At this stage, the sentry shot at the man who later expired.

The Orderly Officer immediately arrived at the scene and took charge of the situation. He found the man unconscious and sent him to the Cantonment General Hospital Dehu immediately and informed the Police Inspector Dehu. The police Sub-Inspector identified the man in the

hospital as a person who had thirty-two previous convictions.

(c) Does not arise.

(d) Government is not aware of any such complaints.

'पाकिस्तान चौक' वाला निमंत्रण कार्ड

1671. **श्री हुकम चन्द कछवाय:** क्या **प्रतिरक्षा** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि ई०एम०ई० वर्कशाप, किरकी के एक कर्मचारी ने एक निमन्त्रण पत्र छपवाया है जिसमें वहां के एक चौक का नाम 'पाकिस्तान-चौक' छपवाया है ;

(ख) क्या यह भी सच है कि उक्त चौक का नाम अभी तक नाना चौक था ;

(ग) यदि हां, तो उस चौक का नाम 'पाकिस्तान चौक' छपवाने के क्या कारण हैं ; और

(घ) उक्त व्यक्ति के विरुद्ध क्या कार्यवाही की गई है ?

प्रतिरक्षा मंत्री (श्री यशवन्तराव चव्हाण): (क) जी नहीं। यह निमंत्रण पत्र वर्कशाप के एक कर्मचारी के भाई ने छपवाया था, जिसमें निमंत्रित व्यक्तियों को शुभेच्छाएं भेजने वाले 12 व्यक्तियों में, उस कर्मचारी का नाम भी दिखाया गया है।

(ख) चौक अभी तक नाना चौक के नाम से पुकारा जाता है।

(ग) तथा (घ). कर्मचारी के विरुद्ध कोई कार्यवाही नहीं की जा सकती थी, क्योंकि सारा उत्तरदायित्व उस के भाई पर आता है। अपने भाई के इस स्खलन के लिए कर्मचारी ने क्षमा मांगी है।

Launching of a Weather Rocket

1672. **Shri Rameshwar Tantia:** Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that India has launched another weather rocket to collect data regarding wind conditions in the upper atmosphere;

(b) if so, the extent of success achieved; and

(c) what is the total expenditure incurred in this behalf?

The Prime Minister and Minister of Atomic Energy (Shri Lal Bahadur Shastri): (a) and (b). Yes. A Judi-Dart meteorological rocket with chaff payload was successfully launched on December 5, 1964, from the Thumba Equatorial Rocket Launching Station. The performance of both the rocket and the chaff payload was satisfactory. The chaff was tracked by radar. Detailed scientific results will be available later.

(c) The rocket was purchased from a grant made by the United Nations Special Fund to the India Meteorological Department. The chaff payload was provided by the United States.

मैक्स मूलर भवन

1672A. **श्री सिद्धेश्वरद प्रसाद :** क्या **वैदेशिक-कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में मैक्स मूलर भवन कितने और कहां-कहां हैं ;

(ख) उनका उद्देश्य और कार्यक्रम क्या हैं ;

(ग) इनमें से कौन कौन से भवनों को सरकारी अनुदान दिया गया है ; और

(घ) अब तक दिये गये उन अनुदानों का क्या ब्यौरा है ?

वैदेशिक-कार्य मंत्री (श्री स्वर्ण सिंह) : (क) भारत में 6 मैक्स मूलर भवन हैं। ये दिल्ली, कलकत्ता, मद्रास, राउरकेला, बंगलौर और हैदराबाद में स्थिति हैं। पूना में भारतीय जर्मन अध्ययन संस्था (इंडियन इन्स्टीच्यूट आफ जर्मन स्टडीज) भी है।

(ख) उपर्युक्त संस्थाएं जर्मन गणतंत्र संघ के गेटे इन्स्टीच्यूट आफ़ म्यूनिख की शाखाएं हैं। इन संगठनों का उद्देश्य भारत और जर्मन गणतंत्र संघ के बीच सांस्कृतिक संबंधों को बढ़ाना है और इसके लिये ये यहां के लोगों को जर्मन भाषा सिखाते हैं और सांस्कृतिक कार्यक्रमों का आयोजन करते हैं।

(ग) कोई अनुदान नहीं दिया गया है।

(घ) प्रश्न नहीं उठता।

12.13 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED SERIOUS FOOD SITUATION IN GUJARAT

Shri S. M. Banerjee (Kanpur): I call the attention of the Minister of Food and Agriculture to the following matter of urgent public importance and I request that he may make a statement thereon:

> "Reported serious food situation in Gujarat arising out of inadequate supply of foodgrains by the Centre".

The Minister of Food and Agriculture (Shri C. Subramaniam): The production of foodgrains in Gujarat during 1963-64 has been quite satisfactory. Against the production of 24.02 lakh tonnes in 1961-62 and 22·94 lakh tonnes in 1962-63, the production of foodgrains in 1963-64 was 25·24 lakh tonnes, or 2·3 lakh tonnes more as compared to the previous year. The supply of foodgrains from other States through trade channels, however, declined owing to certain restrictions imposed by those States. Keeping that in view the Government of India stepped up the supply of wheat and rice to Gujarat from Central stocks. During the 11 months, January to November, 1964, 4·18 lakhs tonnes of wheat was supplied to Gujarat from Central stocks as against 1·05 lakhs tonnes supplied last year. During the same period 81,000 tonnes of rice was supplied as against 74,000 tonnes supplied in 1963. For December, 49,000 tonnes of wheat was originally allotted to Gujarat, but keeping in view the difficulties of Gujarat their quota of wheat has been enhanced by 10,000 tonnes. Similarly, additional 8,000 tonnes of rice has been allotted to Gujarat. Since then, yesterday, I have allotted another 5,000 tonnes of wheat and 5,000 tonnes of rice.

Action has also been taken to arrange supply of coarse grains from other States. The Government of Rajasthan have already agreed to release 3,000 tonnes of gram and 1,000 tonnes of jowar. They have promised that after the market arrivals improve, they will make available some suitable additional quantity of coarse grains also to Gujarat. Similarly, some sizable quantity of jowar will become available from Madhya Pradesh the next month or so.

A close watch on the supplies of foodgrains to Gujarat is maintained. During 1965 also, large quantities of wheat and rice will be supplied from Central stocks and supplies of coarse grains will be arranged from the principal coarse grain-producing States.

Shri S. M. Banerjee: May I know whether the attention of the Minister has been drawn to the letter sent to the Prime Minister by Shri Indulal Yajnik saying that he would go on hunger-strike from 25th of this month, because the prices prevailing in Gujarat, specially in Ahmedabad and other places, are much more than the prices of even coarse grains elsewhere and if so, what steps Government contemplate to take to see that the distribution machinery is properly geared up there and the prices do not touch the highest level, as is happening now?

Shri C. Subramaniam: As far as we are concerned, we are stepping up the supply of wheat and rice and also we are trying to get coarse grains supplied from other States, wherever they are available. I am sure the Gujarat Government will take all possible steps to see that these quantities are distributed in the proper manner to keep the prices down.

Shri Nambiar (Tiruchirapalli): May I know whether it is a fact that the price of edible oils in Gujarat has gone so high that it never happened in the history of that State and a lot of stocks of edible oil which were there have been made to go underground...

Mr. Speaker: The calling attention notice is about foodgrains and not edible oils.

Shri Nambiar: The letter of Mr. Yajnik to the Prime Minister refers to this also.

Mr. Speaker: That is a different thing. We are confining ourselves to the calling attention notice.

Shri Nambiar: If the Minister is aware of it, he may be in a position to give an answer.

Mr. Speaker: We cannot get out of the question.

Shri Hari Vishnu Kamath (Hoshangabad): On a point of order, Sir. In the Prevention of Food Adulteration Bill which was passed by the House, I believe the word 'food' has been defined so as to include 'drink' also. So, foodgrains may include edible oils as well.

Mr. Speaker: That definition does not apply to the calling attention notice.

Shri Nambiar: I bow to your ruling, Sir. May I know whether it is a fact that there is so much scarcity of rice in Gujarat, that there are long queues there and it has created a law-and-order situation there?

Shri C. Subramaniam: In Gujarat, this is the harvest season for rice. The Government of Gujarat have evolved a procurement system. Because of that, I am told, the entire rice has gone underground and that has created some difficulties there. I am told the position has recently improved.

श्री मौर्य (अलीगढ़): क्या यह सत्य है कि गुजरात में खाद्य की समस्या इतनी भयंकर हो गई है कि वहां के लोग मरे हुए जानवर का मांस तक खाने लग गए हैं ?

Shri C. Subramaniam: I am not aware of that.

श्री यशपाल सिंह (केराना) : क्या यह सही है कि चावल पर जो दस पैसे बढ़ाए गए हैं, उस का पता आज तक पार्लियामेंट को नहीं हुआ, जब कि गुजरात के मुनाफ़ाखोर इस बात को एक महीने पहले से जानते थे और उन्होंने इसी बहाने दस रुपये मन ज्यादा मुनाफ़ाखोरी की है ?

Shri C. Subramaniam: No, Sir; this has nothing to do with that increase.

श्री काशीराम गुप्त (अलवर) : सरकार जो कुछ प्रबन्ध कर रही है, वह शहरों तक ही महदूद है । क्या मंत्री महोदय को जानकारी है कि गुजरात के गांवों में उन से भी ज्यादा भुखमरी है और वहां के लोगों को किसी भाव पर अनाज नहीं मिल रहा है ?

Shri C. Subramaniam: Distribution to the extent possible is being arrang-

[Shri C. Subramaniam]

ed in the rural areas also wherever there is distress. I am sure, with the quantities available now, the Gujarat Government will take care to make it available in the distress areas.

Shri Maurya: On a point of order, Sir. I am sure the hon. Minister could not understand the language of my question.

Mr. Speaker: He has very well understood it and a reply to that has also been given.

श्री मौर्य : मैं आप की जानकारी के लिए बता दूं कि मैं ने खुद देखा है । यह ग़लत-बयानी है ।

अध्यक्ष महोदय : माननीय सदस्य ने देखा होगा और वह ठीक भी होंगे, लेकिन इस वक्त जो इन्फ़ार्मेशन मिनिस्टर साहब के पास है, वह उन्होंने दे दी है । इस में कोई झगड़ा पैदा नहीं होता । अगर माननीय सदस्य मुझे लिखें कि मैंने देखा है, तो मैं मिनिस्टर साहब को लिखूंगा । श्री हिम्मत सिंहजी ।

श्री बागड़ी (हिसार): अध्यक्ष महोदय,

अध्यक्ष महोदय : मैंने दूसरे माननीय सदस्य को बुलाया है ।

Shri Himmatsinhji (Kutch): This year's crop of bajra and other coarse grains has gone out of the State, as a result of which all these hardships have been caused to the people. Has the attention of the Minister been drawn to the serious situation which is likely to arise there?

Shri C. Subramaniam: I do not know about the movement of coarse grains out of Gujarat because Gujarat also, if I remember right, have imposed a ban on the movement of coarse grains out of that State. But I am aware of the difficult situation in Gujarat and that is why I am making all arrangements to make available from the central stocks as much of rice and wheat as possible.

Shri Narendra Singh Mahida (Anand): The Government of Gujarat has introduced a system of levy and the Government is receiving this levy in a voluntary way. But I learn that because of the levy on rice and other products the amount is not being paid in cash immediately. May I know what advice has this Government given to the State Government in this matter?

Shri C. Subramaniam: I would like to have notice. I am not aware of that.

Shri P. H. Bheel (Dohad): Sir, I know what steps the Government have taken to create a buffer-stock of jowar, bajra, maize and rice in order to avoid starvation of poor people in the State of Gujarat?

Shri C. Subramaniam: I think I mentioned all the steps which I have taken, and I do not think I can add to the information which I have already given.

Shri P. H. Bheel: The poor people there are not getting anything.

Mr. Speaker: That may be right. He may pass on the information.

श्री तन सिंह (बाड़मेर) : गुजरात सरकार ने सर्वेक्षण के आधार पर कितने अन्न की मांग की है और केन्द्रीय सरकार ने कितने अंश तक उसकी पूर्ति की है ?

Shri C. Subramaniam: As far as wheat and rice is concerned, I think the supply position from the central stocks is satisfactory. The main difficulty is with regard to coarse grains and the Central Government does not possess any stock of coarse grains. It will have to come from the neighbouring States. That is why I have taken up the matter with the Rajasthan Government and Madhya Pradesh Government, and I am trying to

move as much of coarse grains as possible from Madhya Pradesh and Rajasthan.

Shri Ranga (Chittoor): Sir, his question was different. He wanted to know how much has been asked by the Government of Gujarat and how much has been supplied by the Union Government.

Shri C. Subramaniam: I gave the figures. As far as wheat is concerned 40,000 tons was the original allotment. 10,000 tons more have been given and another 5000 tons I allotted yesterday. Therefore, it comes to 55,000 tons.

Mr. Speaker: How much has been asked by that Government?

Shri C. Subramaniam: The Gujarat Government do not want more of wheat and rice. They want coarse grains. There is no quantity indicated, because however much is available they are prepared to take up.

श्री बागड़ी : मेरा एक व्यवस्था का प्रश्न है । मैं चाहता हूं कि मंत्री महोदय से कहा जाये कि जो प्रश्न किया जाये उसका वह पूरा उत्तर दें । जब पूरा उत्तर नहीं दिया जाता है तो आप को हमारी हिफाजत करनी चाहिये और आप ही कर सकते हैं । अभी एक माननीय सदस्य ने पूछा कि गुजरात सरकार ने केन्द्रीय सरकार से कितने अन्न की मांग की थी और केन्द्रीय सरकार ने किस हद तक उसकी पूर्ति की है, उसका जवाब अभी तक नहीं आया है । कम है, ज्यादा है, इस तरह का अगर अनिश्चित जवाब दे दिया जाता है तो उससे कठिनाई पैदा होती है । बहुत अहम प्रश्न किया गया था लेकिन उसका . . .

अध्यक्ष महोदय : जो जवाब नहीं दिया गया था, वह मैंने पूछ लिया है ।

12.25 hrs.

RE: CALLING ATTENTION NOTICE (Query)

Shri Dinen Bhattacharya (Serampore): Sir, I have got a submission. Last Friday I gave a Calling Attention Notice.

Mr. Speaker: Order, order; I am not going to answer that now.

Shri Dinen Bhattacharya: My submission is this. I want to know what problems or what issues are of national importance or of urgent importance. The train service was dislocated for nine hours at Howrah. But my Calling Attention Notice has not been admitted.

Mr. Speaker: Order, order. The hon. Member may resume his seat. I cannot allow a discussion in that manner.

Shri Dinen Bhattacharya: I am not entering into any discussion. I am only pointing that there is a lock-out and 10,000 workers are out of employment.

Mr. Speaker: Order, order. Will the leader of his Group ask him to resume his seat?

An Hon. Member: There is no leader.

Shri Dinen Bhattacharya: There is strike at TELCO. Two groups of the INTUC are quarrelling and the workers are suffering.

Mr. Speaker: If he is not prepared to resume his seat.....

Shri Dinen Bhattacharya: I always obey you, Sir.

Mr. Speaker: Then he should resume his seat and not behave in that manner. That is very objectionable.

12.26 hrs.

SUSPENSION OF MEMBER (Dr. Ram Manohar Lohia)

डा० राम मनोहर लोहिया (फरुखाबाद): अध्यक्ष महोदय, . . .

अध्यक्ष महोदय : नहीं साहब, इस तरह से कुछ नहीं हो सकता है ।

डा० राम मनोहर लोहिया : मैं तब मजबूर हो जाता हूं सब नियमों को देखते हुए यह कहनें

[डा० राम मनोहर लोहिया]

के लिए कि इस सदन की कारवाई गैर कानूनी होगी ।

उसके अलावा कोई भी बहस मतलब नहीं रखेगी जब तक कि प्रधान मंत्री के दो जीभ वाले और दो माथे वाले प्रस्ताव पर यहां बहस नहीं हो जाती । इसलिए मैं आप से अर्ज करूंगा कि वह प्रस्ताव आये ।

उसके अलावा आप जानते हैं कि संसद् कार्य मंत्री का . . . .

अध्यक्ष महोदय : डाक्टर साहब देखिये, नियमों के बाहर मैं आप को भी नहीं जाने दे सकता हूं । यह आप का हक नहीं है कि जब कभी आप चाहें और जैसे आप चाहें आप खड़े हो जायें और किसी भी सवाल को उठा ले । यह उचित नहीं है । आप मुझे सुबह अगर लिख देते तो मैं देख लेता कि इजाजत दूं या न दूं । दो साहब आप की पार्टी के गये थे, उन्होंने मुझ से बातचीत की थी . . .

एक माननीय सदस्य : कोई बातचीत नहीं हुई ।

अध्यक्ष महोदय : मुझे पता नहीं । पार्टी के न होंगे । लेकिन उन्होंने आप का काज मेरे सामने प्लीड किया था । पार्टी है या नहीं . . . (इंटरप्शंज)

डा० राम मनोहर लोहिया : मैं चाहता हूं कि उधर से भी लोग जाते . . .

अध्यक्ष महोदय : इस तरह से सवाल उठाये नहीं जा सकते हैं । श्री दीनेन भट्टाचार्य अभी जब बोल रहे थे तो मैं ने उनको भी टोक दिया था और उनको भी बन्द कर दिया था । आप को किस तरह से मैं इजाजत दे सकता हूं कि आप इस तरह से कोई मामला उठा लें । यह मामला इस तरह से नहीं उठाया जा सकता है ।

डा० राम मनोहर लोहिया : इस वक्त यह कार्रवाई बिल्कुल गैर-कानूनी होगी ।

अध्यक्ष महोदय : मैं कहूंगा कि आप गैर-काननी काम कर रहे हैं और नियमों के उलट कर रहे हैं । आप इस वक्त इस को नहीं उठा सकते हैं ।

डा० राम मनोहर लोहिया: यह आप की राय है, मेरी राय है या सदन की राय है ?

अध्यक्ष महोदय : बहुत मश्किल यह है कि मेरी जो राय है वही यहां ठीक समझी जानी है । आप मान लीजिये ।

डा० राम मनोहर लोहिया : बहुत दफा झुका हूं लेकिन जो गैर-कानूनी कार्रवाई इस ढंग की हो रही है, मैं इस में आगे साझेदारी नहीं कर सकता हूं ।

अध्यक्ष महोदय : आप कहें कि आप झकने के लिए तैयार नहीं हैं, तब तो बहुत मुश्किल बात हो जायेगी ।

डा० राम मनोहर लोहिया : मैं आप को दलील

अध्यक्ष महोदय : इस तरह से आप नहीं बोलते जा सकते हैं ।

डा० राम मनोहर लोहिया: संसद्-कार्य मंत्री ने इस सदन में . . .

अध्यक्ष महोदय : इस तरह से नहीं उठा सकते हैं ।

डा० राम मनोहर लोहिया : तो मैं और भी कोई कार्रवाई नहीं होने दूंगा ।

अध्यक्ष महोदय : यह तो बहुत काबिले एतराज बात है कि आप कहें कि आप कार्रवाई नहीं होने देंगे ।

डा० राम मनोहर लोहिया : आप चाहते हैं कि मैं अपनी आवाज न उठाऊं इसलिए कि

अध्यक्ष महोदय: अगर आप एलानिया, डेलीब्रेटली, जानबूझकर और मन बना कर

कहते हैं कि मैं हाउस की कार्रवाई नहीं होने देना तो यह कभी बरदाश्त नहीं हो सकता है।

डा० राम मनोहर लोहिया : बरदाश्त न करिये। ऐसी भाषा मैं भी बरदाश्त करना नहीं चाहता ।

श्री मधु लिमये (मंगेर) : अध्यक्ष महोदय, एक बात मैं अर्ज करना चाहता हूं . . .

अध्यक्ष महोदय : उन से मुझे बात कर लेने दीजिये। उनका इरादा जान लेने दीजिये। आप कार्रवाई चलने देंगे या नहीं ?

डा० राम मनोहर लोहिया : जी नहीं। जब तक आप कानून के मुताबिक कार्रवाई नहीं करते ।

अध्यक्ष महोदय : आप को इजाजत मैं नहीं देता हूं। आप क्या करना चाहते हैं ?

श्री मधु लिमये : मैं एक मिनट में अपनी बात खत्म कर दूंगा। मैं आप का ध्यान 4 तारीख की कार्रवाई की ओर खींचना चाहता हूं

अध्यक्ष महोदय : इस बहस पर हम नहीं जा रहे हैं। आप बैठ जाइये ।

श्री मधु लिमये : आप जरा सुन तो लीजिये। संसद्-कार्य मंत्री ने क्या कहा था। एक मिनट दे दीजिये ।

अध्यक्ष महोदय : उसी पर तो एतराज कर रहा हूं ।

श्री राम सेवक यादव (बाराबंकी) : सुन तो लीजिये ।

श्री मधु लिमये : एक मिनट सुन लीजिये।

अध्यक्ष महोदय : इस तरह से नहीं हो सकता है।

श्री मधु लिमये : इस सदन में आप उस पर विचार करेंगे कि उन्होंने क्या कहा था। एक मिनट सुन लीजिये ।

अध्यक्ष महोदय : ऐसा नहीं होगा। आप बैठ जायें ।

श्री मधु लिमये : मैं बैठ जाता हूं। लेकिन चार तारीख की कार्रवाई की ओर मैं आप का ध्यान खींचना चाहता हूं। संसद्-कार्य मंत्री ने अपना वचन तोड़ कर इस सदन का और आप का अपमान किया है, उसकी ओर मैं आप का ध्यान दिलाना चाहता हूं . . .

अध्यक्ष महोदय : मेम्बर साहब मेरी इजाजत के बगैर, मेरे हुक्म की खिलाफवर्जी करके बाधा डाल रहे हैं और सदन की कार्रवाई को चलने नहीं दे रहे हैं . . .

श्री मधु लिमये : मैं सवाल उठाना चाहता हूं कि सदन का अपमान और आप का अपमान हुआ है . . .

अध्यक्ष महोदय: मैं आप का नाम पुकार कर कहता हूं। आप कार्रवाई चलने देंगे या नहीं देंगे ? आप को इजाजत नहीं दे सकता हूं (**इंटरप्शंज**) सलाह कर लो जिस ने करनी है।

श्री राम सेवक यादव : अध्यक्ष पद की कुर्सी पर बैठ कर ऐसे शब्दों का इस्तेमाल बहुत ही नाजायज है ।

डा० राम मनोहर लोहिया : मैं उन को रोक रहा हूं ।

अध्यक्ष महोदय : यही मैं कर रहा हूं ।

डा० साहब क्या इरादा है, क्या काम चलने देंगे या नहीं चलने देंगे ।

डा० राम मनोहर लोहिया : आप का क्या है, यह मैं जानना चाहता हूं ।

अध्यक्ष महोदय : मेरा इरादा है कि काम नियमों के अनुसार चले और मैं चलाना चाहता हूं अगर आप मुझे चलाने दें तो। इस तरह से खड़े हो कर कोई मामला नहीं उठाया जा सकता है। इस तरह से आप दखल नहीं दे सकते हैं ।

श्री बागड़ी (हिसार) : एक व्यवस्था का प्रश्न है ।

अध्यक्ष महोदय : आप बैठ जाइये । व्यवस्था का प्रश्न नहीं हो सकता है । पहले उन से बात कर लेने दीजिये । जब मैं खड़ा हूं तो आप नहीं बोल सकते हैं ।

श्री बागड़ी : मैं आप की बात पर व्यवस्था उठाना चाहता हूं । आप उसका जवाब दें ।

अध्यक्ष महोदय : पहले मुझे बात कर लेने दीजिये, आप बैठ जाइये ।

श्री बागड़ी : मैं उसी बात पर व्यवस्था का प्रश्न उठाना चाहता हूं जो आप की और डा० लोहिया की है ।

अध्यक्ष महोदय : मैं मेबर साहबान से और सारे हाउस से कहूंगा कि आया इस तरह से कार्रवाई चल सकती है और क्या मैं उसे चला सकता हूं । अगर इस तरह से रुकावट डाली जायेगी तो हाउस का कोई प्रोग्राम नहीं चल सकता । क्या यह डिमाक्रेसी है उनके मन में है कि रुकावट डाली जाये और कार्रवाई न चलने दी जाये, तो मैं इस की इजाजत नहीं दे सकता । डाक्टर साहब, क्या जो कार्रवाई मेरे सामने है मैं उस को चलाऊं, या आप उस में रुकावट डालते हैं ।

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, मैं आपके शब्द तो स्वीकारता नहीं । मैं समझता हूं कि अच्छी कार्रवाई में रुकावट दूसरी तरफ से आ रही है । मैं तो सदन की कार्रवाई को अच्छी तरह से चलाना चाहता हूं । मैं पिछले महीने से कोशिश कर रहा हूं, आप ने भी वचन दिया था, संसद् कार्य मंत्री ने भी वचन दिया था । प्रधान मंत्री के बारे में बात उठी थी । उस के ऊपर बहस होनी थी । सारी बातें हो चुकी हैं । उस के बाद भी जब मुझे मजबूर किया जा रहा है कि इन सारे वचनों को भंग किया जाये, तो मेरे सामने और सूरत ही क्या रह जाती है ।

अध्यक्ष महोदय : तो फिर क्या आप रुकावट जालेंगे ।

डा० राम मनोहर लोहिया : मैं इसे रुकावट डालना नहीं मानता ।

अध्यक्ष महोदय : आप न मानें लेकिन . . .

डा० राम मनोहर लोहिया : आप उसे चाहे जो समझें । लेकिन मैं आप से यह कहे देता हूं कि इस के बाद की कार्रवाई में साझेदारी करना मेरे लिये नामुमकिन है जब तक कि आप यहां पर दिये गये वचनों का पालन नहीं करवाते । इसके अलावा कोई भी बहस यहां बिल्कुल फिजूल हो जायेगी ।

अध्यक्ष महोदय : मैं दलीलों में नहीं जाना चाहता, आप ने कहा कि आप इस कार्रवाई को नहीं चलने देना चाहते ।

डा० राम मनोहर लोहिया : आप की इच्छा है अगर आप इतना भी नहीं सुनना चाहते ।

श्री राम सेवक यादव : अध्यक्ष महोदय, मैं आप से एक जानकारी चाहता हूं ।

Shri Kapur Singh (Ludhiana): Sir, may I say a word? How the proceedings of this House ought to be conducted and what consequences should follow if the proceedings are not permitted to be conducted in that manner are matters for you to decide. But when, as has apparently happened here, an attack is mounted against you, Sir, personally, it is an attack on the Chair, it is an attack on the dignity of the whole House which could not be condoned. It is an attack on our own dignity and it is an attack on the dignity of the whole nation. So, we object to it very strongly.

श्री मधु लिमये : अध्यक्ष महोदय, मेरा यह निवेदन है कि आप का अपमान संसद्-कार्य मंत्री ने किया है, दूसरे किसी ने नहीं किया है ।

अध्यक्ष महोदय : अब आप बैठ जाइये । डाक्टर साहब, मैं आप से विनय करता हूं कि या तो आप कार्रवाई में बाधा न डालें या फिर आप हाउस से बाहर चले जायें ।

डा० राम मनोहर लोहिया : मैं आप से बहुत विनय के साथ अर्ज करता हूं कि अपने पैरों के बल में यहां से नहीं जाऊंगा । जब इतनी गैर-कानूनी कार्रवाई हुई हो, तब मुझे भी आप को जबर्दस्ती निकालना पड़ेगा ।

अध्यक्ष महोदय : सिवा इस के मेरे पास कोई चारा नहीं रह जाता । जितना लैटिट्यूड मैं दे सकता था दिया, जितनी पेशेन्स एक्सर्साइज कर सकता था की । अब उस की हद हो गई । इस वास्ते मैं और कुछ नहीं कर सकता सिवा इस के कि उन से बाहर जाने के लिए कहूं, और वह कहते हैं कि वह नहीं जायेंगे । यह मेरे आर्डर्स की खिलाफवर्जी है, यह माननीय सदस्य मेरे आर्डर्स को फ्लाउट कर रहे हैं । उन्होंने जान बूझ कर कह भी दिया कि वह इस सदन की कार्रवाई नहीं चलने देंगे । अब यह किसी मेम्बर के लिये और हाउस के लिये है कि वहां पर क्या तजवीज पेश करता है ।

Shri Vidya Charan Shukla (Mahasamud): I beg to move:

> "That Dr. Lohia be suspended from the service of the House for the remainder of the session."

Shri S. M. Banerjee (Kanpur): Who is he to move this motion?

Mr. Speaker: That is for him to decide. I have to put it to the vote of the House.

Some hon. Members *rose*—

Mr. Speaker: There cannot be any discussion.

Shri S. M. Banerjee: Sir, I have a submission to make.

Mr. Speaker: Order, order. I have said that there cannot be any discussion.

डा० राम मनोहर लोहिया : प्रस्ताव प मुझे भी बोलने का मौका दीजिये । मैं भी उस पर बोलना चाहता हूं ।

श्री राम सेवक यादव : इस प्रस्ताव पर मैं भी कुछ कहना चाहता हूं ।

अध्यक्ष महोदय : अब इस पर डिस्कशन की इजाजत नहीं दी जा सकती और न यहां पर डिस्कशन हो सकता है । मोशन यहां पर आया है और उसे मुझ को हाउस के सामने रखना होगा ।

श्री हुकम चन्द कछवाय (देवास) : अध्यक्ष महोदय, जो प्रस्ताव रखा गया है, मैं उस के सम्बन्ध में कुछ कहना चाहता हूं । माननीय सदस्य ने यहां पर मोशन रखा है कि इस अधिवेशन के बाकी समय के लिये डा० राम मनोहर लोहिया को निकाल दिया जाये । मैं इस का विरोध करता हूं । मैं आप से केवल यह निवेदन करना चाहता हू कि आप ने जो निर्णय दिया है कि आज तक के लिये उन को निलम्बित किया जाये, यह पर्याप्त है ।

अध्यक्ष महोदय : माननीय सदस्य ने शायद सुना नहीं कि उन्होंने यह कहा कि वह बाहर नहीं जायेंगे ।

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, मैं इस प्रस्ताव पर बोलना चाहता हूं ।

अध्यक्ष महोदय : नहीं, नहीं ।

Shri S. M. Banerjee: I am not concerned with the motion that has been moved by Shri V. C. Shukla or the stand that you are going to take on that. I am not concerned with it. I only plead with you that of late, as the House very well knows, Dr. Lohia has been raising this issue from time to time. Is the Minister of Parliamentary Affairs prepared to have a discussion or not is the crux of the problem. You may send Dr. Lohia out of the House for the remaining period.... (*Interruptions*).

Mr. Speaker: Order, order. Now the motion before the House is....

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, जब आप मुझे निकाल रहे हैं तो मुझे यह कहना है कि मुझे इस पर बोलने का हक तो दिया जाये ।

Shri Nath Pai (Rajapur): May I have a word before you proceed with the motion moved against Dr. Lohia. There is not the slightest doubt that the House patiently waited for this discussion and yet the Minister of Parliamentary Affairs was remiss.... (*Interruptions*). Only one sentence. He gave some assurances. The first assurance was that since the motion was admitted by you, he would take it up after the Prime Minister's return and, the second one, that he would place it before the Business Advisory Committee. I am very sorry to say that the Minister did not carry out either of these two promises. I know that today he is confined to bed with flu, but he must know the sense of the House. I do not agree with Dr. Lohia when he says that he must obstruct your work or challenge your authority. At the same time, the issues must be known to all. Of course, no hon. Member should challenge the authority of the Chair.

Shri Vidya Charan Shukla: That is the only question.

Shri Nath Pai: That is not the only question.

जरा मेरी बात सुनो, मुझे डराओ मत । मेरा सिर्फ इतना अनुरोध है कि हम इस में तो शरीक नहीं होंगे कि आप की बात कोई न माने । लेकिन इस के साथ साथ में हमें यह भी जानना चाहिये कि कई दिनों से यह कोशिश जारी है कि यहां से सम्मति दी जाये । उन का जो प्रस्ताव है . . .

Mr. Speaker: It is a serious matter.

Shri Nath Pai: While I do not agree with the hon. Dr. Lohia in his obstructionist policy, I would yet plead with the House that we should be given an opportunity to have a discussion on that motion.

Shri H. N. Mukerjee (Calcutta—Central): It has put us in a very embarrassing position by the turn of events. It has taken this turn perhaps because this House does seem to be without anybody who can be given the designation of being the Acting Leader of the House. You, Sir, continued to have your conversation with the hon. Members over there and it went on perhaps because you considered that there might conceivably have been some substance in the complaint which has accumulated in his mind, and that is why you went on arguing with them, while when perhaps some other member like Shri Dinen Bhattacharyya, for instance, raised some point you took short shrift. In this case, you gave him a lot of rope because there must have been some substance in what he was trying to put forward. I could not quite follow the proceedings but I could guess you were having that kind of tussle with the hon. Member, who is so formidable. But there is a Government here, there is a Leader of the House, there must be an Acting Leader of the House; the Government says nothing and a very ordinary member of the Government party says something to the effect that he must be suspended for.... (*Interruptions*).

श्री हुकम चन्द कछवाय : जब सन् 65 के बाद अंग्रेजी को सहभाषा बनाये रखने सम्बन्धी विधेयक प्रस्तुत हुआ था तब श्री बागड़ी के सम्बन्ध में इस तरह का प्रस्ताव रखा गया था और तब भी इन्हीं माननीय सदस्य ने मोशन रखा था, फिर स्वामी जी के बारे में भी इन्हीं ने प्रस्ताव रखा था, मेरे बारे में भी यही प्रस्ताव लाये । मैं जानना चाहता हूं कि क्या इन्होंने ही ठेका ले रखा है जब भी ऐसा मोशन आये तो वही लायेंगे ।

अध्यक्ष महोदय : इस में कोई हर्ज नहीं है। मैं आप से बतलाना चाहता हूं और श्री मुकर्जी की इन्फार्मेशन के लिए भी . . .

श्री प्रकाशवीर शास्त्री : अध्यक्ष महोदय अगर आप उचित समझ तो मैं एक मिनट में कुछ कहूं। मेरा जो विचार है, अगर आप आज्ञा दें तो ही मैं कहूंगा।

अध्यक्ष महोदय : मैं किसी को रोकता नहीं लेकिन मेरा यह मतलब है कि जो यह कहे कि मैं कार्रवाई नहीं चलने दूंगा उस पर अगर कोई एक्शन न लिया जा सके, यह हाउस न ले सके, तो मुझे कोई एतराज नहीं . . .

श्री मधु लिमये : अध्यक्ष महोदय, मैं एक बात कहना चाहता हूं . . .

अध्यक्ष महोदय : ऐसे नहीं हो सकता, मैंने श्री प्रकाशवीर शास्त्री को बुलाया है।

श्री प्रकाशवीर शास्त्री : अध्यक्ष महोदय, जिस प्रस्ताव पर आप निर्णय लेने जा रहे हैं हैं और यह बहुत गम्भीर प्रश्न है अगर इस में निर्णय करने में और क्रोध या आवेश से काम लिया जायेगा तो बहुत सम्भव है कि कुछ गलत परम्पराओं का श्रीगणेश हो जाय। मेरा अनुमान यह है कि जब डा० लोहिया ने इस बात को यहां उठाया था तो आप उनसे शायद यह कहना चाहते थे कि पहले जो पेपर्स टेबल पर ले होने थे वे हो जायें उसके बाद आप उनको अपनी बात कहने का अवसर देंगे। जहां तक मैं समझ पाया . . . (*Interruptions*) आप क्यों बोल रहे हैं, अध्यक्ष महोदय से कह रहा हूं।

अध्यक्ष महोदय : आप कहें।

श्री प्रकाशवीर शास्त्री : मेरा अपना अनुमान इसी प्रकार का है कि अगर संसद-कार्य मन्त्री भी सदन में होते या प्रधान मन्त्री यहां होते तो ऐसी स्थिति न होती। साढ़े तीन बजे जो प्राइवेट मेम्बस बिजिनेस एडवाइजरी कमेटी की मीटिंग है, उसके सामने यह प्रस्ताव है। बहुत सम्भव है कि वह कमेटी इस बात को स्वीकार कर लेती कि इस प्रस्ताव को प्राथमिकता दे दी जाये, और प्रायोरिटी देने के बाद जो तीन दिन अधिवेशन के शेष हैं उनमें इस प्रस्ताव को रख लिया जाय। लेकिन इसके लिये समाधान हो सकता था डा० राम मनोहर लोहिया की बात सुन लेने के बाद। पर और बात बीच में ही होने से यह बात यों सदन में नहीं आई। मेरा निवेदन यह है कि आप डा० लोहिया की बात पूरी तरह से सुन ले और इाप्रवेट मेम्बर्स बिजिनेस एडवाइजरी कमेटी को कोई निर्णय कर लेने दें, तब आप इस पर कोई निर्णय दें।

अध्यक्ष महोदय: तो क्या इस वक्त कार-वाई बन्द कर दें। आप क्या चाहते हैं कि हम इस वक्त हाउस को एडजर्न कर दें। आप की क्या इच्छा है।

श्री प्रकाशवीर शास्त्री : बाकी कारवाई चलती रहे।

अध्यक्ष महोदय : डा० लोहिया तो कहते हैं कि वह कार्रवाई चलने नहीं देंगे और आप कहते हैं कि चलती रहे। (*Interruptions*) अब आप बैठ जाइये, मैं कुछ कहना चाहता हूं।

डा० राम मनोहर लोहिया : अध्यक्ष महोदय . . .

Mr. Speaker: There is one No-Confidence motion. If notice of it is given, that must get priority and immediately a decision has to be taken when it is to be discussed within a specified period. There is another which is only a censure for a particular act. There is no other provision except that it is to be enumerated in the category of 'No-Date-Yet-Named' motion. It has recently happened in England also. There was a motion against Mr. Wilson. That has not been discussed. He has not allowed time for that. What my duty or responsibility is, that should be distinguished from the one that the Government has. I have only to see whether *prima facie* it is to be admitted or rejected. That everyone knows and I made it

[Mr. Speaker]

clear that I have admitted it. Then, it is for the Government to find time for all these motions. We have a sub-committee that goes into these things and according to the information of Mr. Prakash Vir Shastri that is meeting today at 3-30 P.M. It might give priority or might not give priority, I do not know. Even after it has given the priority, what the reaction of the Government might be, that also I cannot say. But where do I come into the picture that the proceedings of the House should be stopped and that he will not allow the House to proceed?

What I said was that if he had written to me, I would have replied to him. The hon. Members of this House—they might be of his Party—did approach me and I tried to explain to them the whole position. I told them that he might go and attend the meeting of the sub-committee; it might be possible to persuade them to give priority to this resolution. That was the only course. But now when a Member stands up and says that he will not allow the proceedings to be conducted inside the House, there is the end of democracy. Nobody can function here. These two things must be distinguished from each other. What we have here is the attitude of the Member and that is, he openly says he will not allow any proceedings to take place inside the House. Whether he can have other remedy that the Government should do something is a different thing altogether. I might give him every support. That is also possible. But that cannot be said in this manner. When he flouts the authority of the Speaker and determinedly asserts that he will not allow any work to be conducted here unless his motion is taken first, how can that be allowed? The hon. Minister.

The Minister of Home Affairs (Shri Nanda): Mr. Speaker, Sir.... *(Interruption)*.

श्री मधु लिमये : सदर साहब, मिनिस्टर साहब को सुनने के पहले मैं एक बात कहना चाहता हूं...

अध्यक्ष महोदय : आर्डर, आर्डर । मैंने मिनिस्टर साहब को बुला लिया है ।

Shri Nanda: Sir, you have put the position very clearly. Nothing more is to be added to it. But I would like to emphasize this aspect. The issues are very clear and distinct. If there is a grievance on the part of a Member, there are ways to have the matter dealth with. The other day, the Minister for Parliamentary Affairs had stated the position that there was a motion and the question of fixing a date was going to be considered. Whatever the position is.....

श्री राम सेवक यादव : उन्होंने मान लिया था, वचन दिया था...

अध्यक्ष महोदय : आर्डर, आर्डर । अब माननीय सदस्य सुनें ।

Shri Nanda: Whether any more urgent business is going to be dealt with, whether a place could be given to it today or tomorrow or day after, are the things which are to be discussed separately. This question of the conduct of the proceedings inside the House is an issue to be considered separately. May I submit that this has been going on too far. You have very kindly given the utmost consideration to the Members and enough latitude is being permitted. I think it is trespassing the tolerance of the House and yourself. I think the motion should be proceeded with.

Mr. Speaker: The question is:

"That Dr. Ram Manohar Lohia be suspended.....

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, जिसके खिलाफ़ आप कार्यवाही करने जा रहे हैं क्या उसे उस बारे में एक बात कहने का भी मौक़ा नहीं देंगे ?

Mr. Speaker: Now the question is:

"That Dr. Ram Manohar Lohia be suspended from the service of the House for the remainder of the session."

Those in favour may say, 'Aye'.

Several Hon. Members: Aye.

Mr. Speaker: Those against may say, 'No'.

Some Hon. Members: No.

Mr. Speaker The 'Ayes' have it...

Shri Nath Pai: In view of what Mr. Prakash Vir Shastri has said just now—I do not know what Dr. Lohia is intending to do—I think the proper course would be.... (*Interruptions*).

श्री नाथ पाई : अध्यक्ष महोदय, मैं कभी कार्यवाही में अकारण दखल नहीं देता लेकिन...

अध्यक्ष महोदय : अगर वे यह कहना चाहते हैं कि मैं और अधिक सब्र कर सकता था तो मुझे मालूम नहीं ।

श्री नाथ पाई : जी आपने काफ़ी सब्र किया है लेकिन बस एक ही शब्द सुनिये...

अध्यक्ष महोदय : आपने खुद कहा था और डा० मुकर्जी ने भी कहा था कि मैंने कितना सब्र किया और किस तरीक़ से अब तक टौलरेट करता गया जो कुछ भी होता रहा तो अब उसके बाद अगर मैं मोशन पुट करता हू तो उसमें बेजा क्या है ?

श्री नाथ पाई : उन्होंने यह नहीं कहा. (*Interruption*). I have a way out. We may proceed to the next business. (*Interruption*). Why not?

Mr. Speaker: How can I when he will not allow it?

The question is:

"That Dr. Ram Manohar Lohia be suspended from the service of the House for the remainder of session."

डा० राम मनोहर लोहिया : इसे ऐसा न पास करवाइये । इस पर आप बटन दबाइये ।

Mr. Speaker: Let the Lobbies be cleared.

The Lok Sabha divided:

Shri Basumatari (Goalpara): I wanted to to vote for 'Ayes'.

Shri Tulshidas Jadhav (Nanded): I wanted to vote for 'Ayes'.

Mr. Speaker: These observations would be recorded.

Division No. 10. **AYES** [12.50 hrs.

Abdul Rashid, Bakshi
Achuthan, Shri
Alagesan, Shri
Alva, Shri A. S.
Aney, Dr. M. S.
Ankineedu, Shri
Anthony, Shri Frank
Babunath Singh, Shri
Bal Krishna Singh, Shri
Balmiki, Shri
Barman Shri P. C.
Barrow, Shri
Barupal, Shri P. L.
Basumatari, Shri
Bhagat, Shri B. R.
Bhagvati, Shri
Bhattacharyya, Shri C. K.
Bheel, Shri P. H.
Bist, Shri J. B. S.
Borooah, Shri P. C.
Brij Raj Singh-Kotah, Shri
Chandak, Shri
Chandrabhan Singh, Shri
Chandriki, Shri
Chaturvedi, Shri S.N.
Chaudhuri, Shrimati Kamala
Daljit Singh, Shri
Das, Dr. M. M.
Das, Shri B. K.
Desai, Shri Morarji
Dighe, Shri
Dinesh Singh, Shri
Doren, Shri Kasinatha
Dubey, Shri R. G.
Dwivedi, Shri M. L.
Ering, Shri D.
Gaekwad, Shri Fatehsinhrao
Ganapati Ram, Shri
Gandhi, Shri V. B.
Gupta, Shri Shiv Charan
Hansda, Shri Subodh
Harvani, Shri Ansar
Hazarika, Shri J. N.
Hem Raj, Shri
Himatsingka, Shri
Himmatsinhji, Shri
Iqbal Singh, Shri
Jadhav, Shri M. L.
Jadhav, Shri Tulshidas
Jagjivan Ram, Shri
Jain, Shri A. P.
Jamir, Shri S. C.
Jamunadevi Shrimati
Jyotishi, Shri J. P.
Kamble, Shri
Kanungo, Shri
Kappen, Shri
Kapur Singh, Shri
Kedaria, Shri C. M.
Keishing, Shri Rishang
Khadilkar, Shri
Khanna, Shri Mehr Chand
Kohor, Shri
Kotoki, Shri Liladhar

AYES—*Contd.*

Kenjalgi, Shri H. V.
Kripa Shankar, Shri
Krishna, Shri M. R.
Krishnamachari, Shri T. T.
Kureel, Shri B. N.
Lakshmikantahamma, Shrimati
Lalit Sen, Shri
Lonikar, Shri
Mahananda, Shri
Mahatab, Shri
Mahida, Shri Narendra Singh
Majithia, Shri
Malaichami, Shri
Molhotra, Shri Inder J.
Mantri, Shri
Maruthiah, Shri
Masani, Shri M. R.
Matcharaju, Shri
Mehta, Shri Jashvant
Mengi, Shri Gopal Dutt
Mirza, Shri Bakar Ali
Mishra, Shri Bibhuti
Misra, Shri Shyam Dhar
Mohanty, Shri Gokulananda
Mohsin, Shri
Morarka, Shri
More, Shri K. L.
Mukerjee, Shrimati Sharda
Munzni, Shri David
Nanda, Shri
Naiker, Shri P. S.
Niranjan Lal, Shri
Oza, Shri
Pande, Shri K. N.
Pandey, Shri R. S.
Panna Lal, Shri
Pant, Shri K. C.
Parmasivan, Shri
Patel, Shri Chhotubhai
Patel, Shri Man Sinh P.
Patel, Shri P. R.
Patel, Shri Rajeshwar
Patil, Shri S. B.
Patnaik Shri B. C.
Pillai, Shri Nataraja
Raghuramaiah, Shri
Rai, Shrimati Sahodrabai
Raj Bahadur, Shri
Raja, Shri C. R.
Rajdeo Singh, Shri
Raju, D.
Raju, Shri D. B.
Ram, Shri T.
Ram Sewak, Shri
Ram Subhag Singh, Dr.
Ram Swarup, Shri
Ramanathan Chettiar, Shri
Ramaswamy, Shri S. V.
Ramdhani Das, Shri
Rane, Shri
Ranga, Shri
Ranga Rao, Shri
Rao, Shri Jaganatha
Rao, Shri Krishnamurthy
Rao, Shri Rajagpoala
Rao, Shri Ramapathi
Rawandale, Shri
Reddy, Shrimati Yashoda
Roy, Shri Bishwanath
Sahu, Dr. S. K.
Sahu Shri Rameshwar
Samanta, Shri S. C.
Saraf, Shri Sham Lal
Satyabhama Devi, Shrimati
Sen, Shri P. G.
Shakuntgala Devi, Shrimati
Sharma, Shri A. P.
Sharma, Shri K. C.
Shashi Ranjan, Shri
Sheo Narain, Shri
Shree Narayan Das, Sh
Shukla, Shri Vidya Charan
Shyamkumari Devi, Shrimati
Siddananjappa, Shri
Sidheshwar Prasad, Shri
Singh, Shri D. N.
Singh, Shri K. K.
Singha, Shri Y. N.
Sinha, Shrimati Tarkeshwari
Sinhasan Singh, Shri
Sonavane, Shri
Subbaraman, Shri
Subramanyam, Shri C.
Subrananyam, Shri T.
Sumat Prasad, Shri
Surendra Pal Singh, Shri
Swaran Singh, Shri
Thomas, Shri A. M.
Tiwary, Shri D. N.
Tiwary, Shri K. N.
Tiwary, Shri R. S.
Tombi, Shri
Uikey, Shri
Upadhyaya, Shri Shiva Dutt
Vaishya, Shri M. B.
Valvi, Shri
Varma, Shri Ravindra
Veerappa, Shri
Venkatasubbaiah, Shri P.
Vidyalankar, Shri A. N.
Vijaya Raje, Shrimati
Virbhadra, Singh Shri
Wadiwa, Shri
Wasnik, Shri Balkrishna
Yadava, Shri B. P.

NOES

Alvares, Shri
Bagri, Shri
Banerjee, Shri S. M.
Barua, Shri Hem
Basumatari, Shri
Berwa, Shri Onkar Lal
Bhattacharya, Shri Dinen
Biren Dutta, Shri
Brij Raj Singh, Shri
Dwivedy, Shri Surendranath
Gupta, Shri Kashi Ram
Jha, Shri Yogendra
Kachhavaiya, Shri Hukam Chand
Kakkar, Shri Gauri Shankar
Kunhan, Shri P.
Limaye, Shri Madhu
Lohiya, Dr. Ram Manohar
Mahato, Shri Bhajhari
Nambiar, Shri
Nath Pai, Shri
Pattnayak, Shri Kishen
Pottekkatt, Shri
Roy, Dr. Saradish
Shastri, Shri Prakash Vi
Shinkre, Shri M. P.
Singh, Shri A. P.
Singh, Shri, Y. D.
Swamy, Shri M. V.
Swamy, Shri Sivamurthi
Venkaiah, Shri Kolla
Yadav, Shri Ram Sewak
Yashpal Singh, Shri

Mr. Speaker: The result of the division is as follows:

Ayes: 179; Noes: 32

The motion was adopted.

(Dr. Ram Manohar Lohia left the House.)

श्री रामसेवक यादव : सरकार द्वारा दिये गए वचन की अवहेलना पर यह काम बहुत ही निन्दनीय है और जनतन्त्र के घोर विरोध में है । इसके खिलाफ़ प्रोटेस्ट में हम सब वाक आउट करते हैं ।

(Shri Ram Sewak Yadav left the House)

श्री किशन पटनायक (सम्बलपुर) : यह लोक सभा की लानत है, लानत ।

(Shri Kishen Pattnayak left the House)

Mr. Speaker: Now, Papers to be laid on the Table.

श्री मधु लिमये : अध्यक्ष महोदय . . .

अध्यक्ष महोदय : अब आप और विघ्न न डालिए । अगर आप जाना चाहते हैं, तो जाइये ।

श्री मधु लिमये : हम जा रहे हैं ।

अध्यक्ष महोदय : वह आप की मर्जी है । मैं आप को रोक नहीं सकता ।

श्री मधु लिमये : मैं इतना ही कहना चाहता हूं कि वचन भंग हो गया है यहां ।

(Shri Madhu Limaye left the House)

Mr. Speaker: Now, Papers to be Laid on the Table.

12.52 hrs.

PAPERS LAID ON THE TABLE

Report of Indian Delegation to 48th Session of ILO

The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya): On behalf of Shri D. Sanjivayya, I beg to lay on the Table a copy of Report of the Indian Delegation to the 48th Session of the International Labour Conference held at Geneva from 17th June to 9th July, 1964. [*Placed in Library. See* No. LT-3679/64].

Public Debt (Second Amendment) Rules

The Minister of Planning (Shri B. R. Bhagat): I beg to lay on the Table a copy of the Public Debt (Second Amendment) Rules, 1964, published in Notification No. GSR, 1614 dated the 7th November, 1964, under sub-section (3) of section 28 of the Public Debt Act, 1944. [*Placed in Library. See* No. LT-3680/64].

Report of Tea Finance Committee

The Deputy Minister in the Ministry of Commerce (Shri S. V. Ramaswamy): I beg to lay on the Table a copy of Report of the Tea Finance Committee. [*Placed in Library. See* No. LT-3681/64].

Notifications under Essential Commodities Act

The Deputy Minister in the Ministry of Defence (Dr. D. S Raju): On behalf of Shri D. R. Chavan, I beg to lay on the Table a copy each of the following Notifications under sub-section (6) of section 3 of the Essential Commodities Atc, 1955:—

(i) The Madras Coarse Grains (Export Control) Order, 1964, published in Notification No. GSR, 1741 dated the 7th December, 1964.

(ii) GSR. 1742 dated the 7th December, 1964, rescinding the Rajasthan Gram and Gram Products (Removal of Control) Order, 1953, published in Notification No. SRO 278 dated the 5th February, 1953 and the Coarse Grains (Removal of Control) Order, 1954, published in Notification No. SRO 55 dated the 1st January, 1964. [*Placed in Library. See* No. LT-3682/64].

Notification under Extradition Act

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): I beg to lay on the Table a copy of Notification No. GSR. 1739 dated the 1st December, 1964, under section 35 of the Exradition Act, 1963. [*Placed in Library. See* No. LT-3683/64].

श्री बागड़ी (हिसार) अध्यक्ष महोदय, ...

अध्यक्ष महोदय : आप विघ्न न डालिए, आप रुकावट न डालिए । अब आप कार्यवाही चलने दीजिए । वह बात ख़त्म हो गई है ।

श्री बागड़ी अध्यक्ष महोदय, एक मिनट ।

अध्यक्ष महोदय : इस वक्त नहीं ।

श्री बागड़ी : अध्यक्ष महोदय, मैं एक बात कह देता हूं कि जब ज़ोरावरसिंह और फ़तेहसिंह को फांसी की सजा दी गई थी, तो पंजाब की सरज़मीन में . . . *Interruption*

अध्यक्ष महोदय : माननीय सदस्य, श्री बागड़ी, रुकावट डाल रहे हैं । वह ऐसा न करें । मैंने कहा है कि मैं इस वक्त और कुछ नहीं सुनूंगा ।

श्री बागड़ी : मैं जाता हूं, लेकिन नन्दा साहब याद रखें कि वह इसी रास्ते जायेंगे ।

(Shri Bagri left the House)

12.54 hrs.

MESSAGES FROM RAJYA SABHA

Secretary: Sir, I have to report the following messages received from the Secretary of Rajya Sabha:

(i) 'In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to infrom the Lok Sabha that the Rajya Sabha, at its sitting held on the 17th December, 1964, agreed without any amendment to the Prevention of Food Adulteration (Amendment) Bill, 1964, which was passed by the Lok Sabha at its sitting held on the 26th November, 1964.'.

(ii) 'In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 17th December, 1964, agreed without any amendment to the Essential Commodities (Amendment) Bill, 1964, which was passed by the Lok Sabha at its sitting held on the 9th December, 1964.'.

PRESIDENT'S ASSENT TO BILL

Secretary: I lay on the Table the Indian Trade Unions (Amendment) Bill, 1964, passed by the Houses of Parliament during the current Session and assented to by the President since a report was last made to the House on the 17th November, 1964.

12.55 hrs.

STATEMENT *RE*: INDUSTRIAL DISPUTE IN INDIAN TELEPHONE INDUSTRIES, BANGALORE

The Deputy Minister in the Department of Communications (Shri Bhagavati): On behalf of Shri Satya Narayan Sinha, I beg to make the following statement:

"On the 4th December, 1964, I had made a statement in this House in response to a Calling Attention Notice by Sarvashri Nath Pai and Yashpal Singh regarding strike in the Indian Telephone Industries Limited, Bangalore. I had mentioned therein that the conciliation proceedings initiated by the Government of Mysore to resolve the dispute between the Management and the employees of the Indian Telephone Industries Ltd., over the Charter of Demands submitted by the Employees' Union had failed.

2. After this the workers decided to go on a toolsdown stay-in strike with effect from the 12th December, 1964.

3. The situation arising out of the strike was discussed between the Management and the workers' representatives and the assistance of the

Mysore Government was also sought. At the suggestion of the Labour Minister, Government of Mysore, I have agreed to act as the arbitrator in the disputes between the Management of the Indian Telephone Industries Ltd. and their workmen. This has been welcomed by the workers who agreed to give up the strike with effect from 15th December. It has been agreed that the arbitration will be limited to the following two issues:

(1) the quantum of interim relief to be paid to the workmen; and

(2) House Rent Allowance to workmen.

Nothing will be paid to the workers by way of interim relief pending the award of the arbitrator."

Shri S. M. Banerjee (Kanpur): After the statement was made by the hon. Minister of Communications, Shri Satya Narayan Sinha, some of the Members like Shri Yashpal Singh, myself and others got a lot of telegrams that the version of the hon. Minister was not based on any definite or certain facts. I would like to know what the condition today is. Are the workers satisfied with the adjudication and arbitration proposal, or is there still some trouble going on?

Shri Bhagavati: The workers are satisfied that the disputes have been sent for arbitration by the hon. Minister of Communications. They are satisfied as to that.

12.57 hrs.

STATEMENT RE: DELAY IN LAYING STATEMENT SHOWING ACTION TAKEN ON CONVENTIONS AND RECOMMENDATIONS of INTERNATIONAL LABOUR CONFERENCE

The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya): The hon. Members would recall that on December 7, I had laid on the Table of this House a Statement indicating the action taken or proposed to be taken by the Government of India on the Conventions and Recommendations adopted by the International Labour Conference at its 47th Session held in Geneva in June 1963. Some of the members had referred to the delay in the laying of the above Statement and I had promised that I would verify and inform the House of the position.

The procedure concerning examination of ILO Conventions and Recommendations involves consultation with the State Governments, the employing Ministries concerned and workers' and employers' organisations etc. before a Statement on the action taken or proposed to be taken by Government in respect of these instruments is drawn up and placed, after approval by the Union Cabinet, before Parliament. These steps usually take time and it is precisely for this reason that the ILO Constitution permits in the case of countries like India, the time-limit of 18 months for completing these steps. So far as the Convention and Recommendations adopted at the 47th Session held in June 1963 are concerned. this time-limit would expire on December 26, 1964. It would thus be seen that the Statement has been placed before Parliament a couple of weeks in advance of the permissible time-limit.

12.58 hrs.

COMPANIES (SECOND AMENDMENT) BILL—*Contd.*

Mr. Speaker: The House will now take up further consideration of the motion to refer the Companies (Second Amendment) Bill to a Joint Committee.

Out of 4 hours allotted, 3 hours have been spent already, and 1 hour remains.

Shri M. R. Masani (Rajkot): Perhaps you would be good enough to indicate when you propose to call the hon. Minister to reply to the debate.

Mr. Speaker: How long is the hon. Minister likely to take?

The Minister of Finance (Shri T. T. Krishnamachari): I shall take about half an hour.

Mr. Speaker: I shall call the hon. Minister at 13.30 hours.

Shrimati Lakshmikanthamma (Khammam): In general, the people of this country are law-abiding and honest, but it is only a few selfish people who out of their own personal interest disobey the laws and acquire unjustified wealth. The Vivian Bose Commission of Inquiry on the administration of the Dalmia-Jain companies made certain recommendations to amend the Companies Act with a view to prevent the malpractices of the nature observed and to ensure due and proper administration of the funds and assets of the companies in the interests of the investing public. The Daphtary-Sastri Committee also recommended that the Companies Act should be amended. The Bill seeks to implement these recommendations of the Vivian Bose Commission as well as the Daphtary-Sastri Committee. The Bill also strengthens, as has been stated by the Finance Minister, the provisions relating to investigation into the affairs of the companies to provide for more effective audit in cases of dishonesty and fraud in the corporate sector and to simplify some of the procedural requirements which were at present burdensome to the companies.

Clause 13 of the Bill seeks to impose restrictions on the period of the currency of blank transfers, by providing in the Clause as under:

"(1A) Every instrument of transfer—

(a) shall be in the prescribed form obtainable from the prescribed authority who shall stamp or otherwise thereon the date on which it is issued, and

(b) shall be delivered to the company—

(i) in the case of shares dealt in or quoted on a recognised stock exchange within six months from such date,

(ii) in any other case, within two months from that date.".

13 hrs.

Now, let us examine what this blank transfer is. As the name implies, a blank transfer is a transfer deed carrying only the signature of the transferer and delivered along with the share certificate; it neither contains the name of the transferee, *i.e.*, the buyer of the shares, nor is it dated.

श्री हुकम चन्द कछवाय (देवास) : इतनी महत्वपूर्ण बहस चल रही है, हाउस में, तो कोरम तो होना चाहिये ।

Mr. Speaker: The bell is being rung. ....Now there is quorum.

Shrimati Lakshmikanthamma: Thus the blank transfer can change hands swiftly and would enable the holder to sell the shares without getting his name registered in the books of the company concerned.

The system of blank transfers provides scope for malpractices such as concealment of the identity of the real beneficial owners behind their nominees, evasion of tax by suppression of secret profits invested in shares on blank transfers, and windo-dressing of company balance-sheets by reshuffling all shares held on blank transfers between companies in the same group with the object of substituting inter-company loans and advances at the time of the closing of accounts by investments. The proposed restriction is designed to curb these malpractices.

The arguments advanced against the proposed restriction are, firstly, that there are various other ways in which secret profits can be invested, for example in currency notes, jewellery, precious stones, Government securities etc., even if blank transfers are restricted. The fact that there are other ways of evading certain provisions of law is no justification for not taking action to prevent the abuses inherent in blank transfers.

Another argument advanced is that blank transfers are freely permitted in USA and continental countries. Therefore, why should we impose restrictions on its currency in India. The example of USA is not relevant to conditions in India. In India, blank transfers are used mainly by big operators for making quick gains, while in the USA it is meant to protect the interests of small investors. I have gone through American cases relating to company law, and I may quote a court judgment in an American case which says as follows:

> "All courts will agree that manipulation of corporate assets or the elimination of the dividend will, when intended to mislead shareholders and induce them to sell shares, constitute actionable fraud."

The American law specially lays down that directors have no right to make use of the confidence reposed in them to make private gains.

श्री हुकम चन्द कछवाय : अध्यक्ष महोदय कोरम नहीं है । इतनी महत्वपूर्ण बहस के समय कोरम तो रहना चाहिये ।

Mr. Speaker: The bell is being rung.....Now there is quorum.

Shrimati Lakshmikanthamma: Again, in America, the directors are accountable for profits or losses made in dealing with the shares of their companies. Any secret profit made by a director at the expense of the shareholders belongs to all the shareholders. The right of action to recover losses resulting from a director's negligence belongs to all shareholders.

In spite of the arguments of some of the Members who oppose this Bill, we know how many restrictions there are in countries like America and continental countries. The vast majority of the companies in USA are reported to be declaring dividends quarterly, and that is an indirect check on the currency of blank transfers in that country. There are also far more rigorous controls on the stock exchanges in USA than in India. I may also point out that Clause 13 of the Bill does not seek to prohibit blank transfers, but only to restrict the period of their currency.

Coming to Clause 46, the existing section 370 prohibits a company from making any loan or giving any guarantee for a loan to another company under the same management, unless the transaction has been previously approved by a special resolution of the lending company. As will be observed from the Report of the Vivian Bose Commission, numerous cases came to its notice where loans were made by a company to another company far in excess of the paid-up capital, and even the authorised capital, which was clearly to the detriment of the lending company. It appeared as if the funds of the lending company were meant for the use of the other companies. In the present conditions, it is not very difficult to obtain the sanction of the shareholders by a special resolution. Therefore, in order to prevent the diversion of the funds of one company to another company, and to allow the said funds to be utilised for the proper growth of industries, a proper check is considered necessary. Accordingly, as recommended by the Vivian Bose Commission and the Daphtary-Sastri Committee, Clause 46 seeks to impose certain restrictions on loans given by a company to another, even if both are not under the same management. Apart from the requirement of passing a special resolution, it provides for prior approval of the Central Government before loans in excess of certain limits are sanctioned. It is presumed that whenever a company has sufficient reasons to justify a loan to another company, Government will accord its sanction.

Clause 21 provides that in respect of companies engaged in production, processing, manufacturing and mining activities, which may be specified by a notification issued by the Central Government, proper records relating to utilisation of materials and labour should be kept. A general complaint

[Shrimati Lakshmikanthamma]

has been made that the efficiency of a company is not properly reflected in its audited accounts. It is also a fact that in the absence of this knowledge, the investment-worthiness of a company cannot be fully judged. It will be noticed that the requirement in the Clause does not apply *suo motu* to all companies, but will be made applicable only whenever considered necessary by Government.

It has also been said that auditors have failed to detect some of the malpractices because of the fact that the Act at present does not specifically require them to look into certain transactions. Some of the malpractices brought to light by the Vivian Bose Commission are as under. Loans and advances were made without security and at low interest or no interest to private companies controlled by certain individuals, or to the individuals themselves, to the detriment of the public company. Sometimes facility was provided for repayment in many instalments spread over a long period without interest. Payments for purchases and sales were shown as made in cash although in reality only book entries had been made in the respective accounts. Manipulations were made in the purchase price or sale price of shares held by public companies in order fictitiously to create a loss, and the individuals in control of the concerns in which they were interested enjoyed the benefit.

It is, therefore, considered necessary that certain duties of the auditors should be specifically provided for in the Act itself, so that they should look into the transactions which are likely to be abused.

Along with these restrictions and special powers given to check malpractices in the working of companies, there are also provisions for simplification and liberalisation.

More than twenty clauses which come in the category of simplification of the existing provisions of the Act, seek to simplify and relax some of the irritant provisions of the Act. Clauses 32, 33, 34, 41 and 57 are calculated to eliminate or reduce the periodicity of some of the returns required to be filed by companies and their directors with registrars of the companies.

Mr. Speaker: The hon. Member should try to conclude.

Shrimati Lakshmikanthamma: I shall conclude in one or two minutes. Most of the time has been taken by the quorum Bell.

At present there are 49 categories of relatives specified in schedule IA to the Act, it is now proposed to reduce this to 22 to include only near relatives. This is a welcome measure and will remove hardships and inconvenience to the company management. The varying time-limits for submission of different documents to the registrar is removed by clause 62 which provides a uniform timelimit of 30 days in respect of various documents to be filed with the registrar of companies. The prescribed time-limit of 42 days for annual returns is extended to 60 days. Different periods for different documents was annoying many companies before. Sir, this Bill is a welcome measure and when implemented properly will remove many of the evils and will create a healthy atmosphere in the corporate sector.

Shri Kashi Ram Gupta (Alwar): Mr. Speaker, while speaking on this Bill the hon. Finance Minister has said that this Bill has been necessitated because of the rapid changing conditions. Are they changing rapidly due to Government or some other factors? That has to be seen. In my opinion, the main consideration is this. There is the wrong thinking of the Government so far as socialism is concerned. They are experimenting with socialism in a peculiar way in this country. On the one side they are allowing big monopolists to continue; on the other side they are trying to apply the same

laws to small-sized, medium-sized and large-sized industries and companies. It is the root cause of the whole trouble and it is not remedied, things will not improve.

Some of the provisions in this Bill are to be welcomed but there are some which may lead to much harassment of the concerned managements. We say that the managing agency system should go. But we should not forget the way in which the directors and others have to function when there are so many complexities of the law these days. It is these that lead them to take to malpractices in certain circumstances. To plug these loopholes and malpractices, we have to see to these things. In the present context of things, small companies and medium size companies must be treated in a very lenient way. About the large-size companies also, I think we should see whether the present law seeks to put things in a logical manner or not. When we see their remuneration or something else to be paid to the managers or directors of companies, we should see the way in which they have to function and then only come to any decision.

I want to bring to the notice of the hon. Minister a few points. By clauses 21 and 24, the hon. Minister has provided for audit and cost accounting. Government may as a practical measure think of certain companies only where these will take these measures. But law itself should make it clear that this does not apply to medium or small companies. Perhaps the main purpose of this provision is to plug the evasion of tax. But the remedy is more of a harassing nature. Indian companies upto this date have not been able to come to that standard where the cost accountancy can be applied in a very rigid way. That is why I say there should be lenience in respect of small and medium companies. But there are certain aspects which even these cost accountants or auditors will not be able to overcome. There may be certain scarce commodities. The management of mills which produce them will then take to corrupt practices. Cost accountancy or audit will not be able to check these things. Manufactured goods will be billed for a certain amount but they will be sold for a higher price. I do not know how the present law can rectify these things.

There is another thing. Until and unless Government itself removes the confusion about the private sector and its future, things will go from bad to worse. For instance, the Prime Minister has said more than once that in future the textile industry should be in the public sector also. There are various designs, and qualities now because there is open competition. Government-owned mills cannot stand so many designs and types of products as in so many private mills. So, they have to take the whole of the textile industry; otherwise, they will put themselves into great trouble. So also with regard to sugar industry. Government has taken to the co-operative pattern. So, I do not think there is any need for public sector in sugar mills. I have to mention all these points because government declarations lead to confusion.

Now, I come to page 11, clause 26 where it says that the books can be seized by an inspector. There is no time-limit to return the books and so it means for any period as the officer deems fit. This is a lamentable provision. I request the hon. Minister to see that there is some time-limit. It may be said that they will be returned after the investigation. But in practical experience we see that investigation goes on over a number of years. The provision for certified copies may be there; then certified copies of entries can be taken. But I say that certified copies of the whole book cannot be taken; only those which are required for enquiry purposes can be taken. Hence this clause creates difficulties to that extent.

Then I come to page 15, clause 40. It is stated in that clause that if the

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question is determined earlier, compensation will be paid to the managing agents, that is, an extra amount. But a technical question has now arisen whether such compensation is to be treated as capital expenditure or revenue expenditure. There will be a great effect of this on this decision. If the expenditure is taken as capital expenditure, then the person shall have to lose much. But if it is taken as revenue expenditure, then justice will be done to him. Therefore, it is very necessary that it is clearly defined, namely, the compensation will not be charged as capital expenditure.

13.21 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

Then I come to the question of the director's age. I am rather surprised whether men of such an old age as 75 years, which has been provided for now, can work so efficiently as directors. My hon. friend Shri Himatsingka may be knowing much better. But in my opinion, when a high court judge or a Supreme Court judge cannot work beyond 65 years of age, it is better that the age of the director is not put at 75. There is also another aspect to this question. After a certain age, a man has to bend his energies towards some other side than to the business side. That has been the philosophy at least of the Hindus. Therefore, in my opinion, raising of the age-limit is neither conducive to the directors nor to the company nor to any other aspect of this matter. The clause prescribing the age as 65 must remain as it is.

Lastly, I have to emphasise one point. So far as the working of the companies is concerned, a comprehensive study shall have to be made in the near future, because the present Bill has been brought only on the basis of the Vivian Bose Commission and the report of the Daphtary-Sastri Committee and it has been based mainly on one company's doings. Therefore, a comprehensive study shall have to be made, and in my opinion, there should be a definite policy regarding the small entrepreneurs and the small companies. They must be encouraged; the medium-size companies must be encouraged. So far as the large-size companies are concerned, if socialism is to prevail, then the Government should take a share in them and a definite policy for the future must be laid down according to the capital of the company and the working of the company.

Shri M. L. Jadhav (Malegaon): Mr. Deputy-Speaker, Sir, I support the measure before the House. The Vivian Bose Commission report was delayed by a number of years. If you look into the Vivian Bose Commission report, you will find that the report was delayed and the enquiry was delayed because a number of books, account-books, papers, etc., were not made available to the Commission. Therefore, the Commission had to proceed with the work against heavy odds because of the difficulties put forth by the company directors and management. Therefore, in order to see that the companies work on proper lines, it is very desirable and necessary that some audit check and inspection are resorted to in these matters. We find that the Vivian Bose Commission's work was delayed, and in order to see that the work of inspecting authorities is not delayed, the measures brought forward in this Bill are very necessary in the interests of the public and of the shareholders, and in the larger interests of the people.

I find that there has been some criticism that Messrs. Sastri and Daphtary are not industrialists, not businessmen and that they know nothing of business. But we must at least admit that they are eminent jurists who have dealt with cases of a number of companies and are men of legal acumen who are not likely to do any injustice to anbody because of any ignorance, and they are persons who are expected to study the matter and come to conclusions.

श्री हुकम चन्द कछवाय : उपाध्यक्ष महोदय, हाउस में इस समय कोरम नहीं है । यह आध घंटे में तीसरी मर्तबा कोरम का सवाल उठाया गया है । हाउस को एक घंटे के लिए एडजर्न कर देना चाहिए ।

Mr. Deputy-Speaker: The bell is being rung. Yes, now there is quorum. The hon. Member may proceed.

Shri M. L. Jadhav: So, we can expect these two jurists to have studied the matter and after proper study, and going into the Vivian Bose Commission report, they have placed certain recommendations which Government has been pleased to accept. We will find that these recommendations find a place in the measure before this House

Then, I may point out that in this Bill there is no effort to curb the private sector. I think it is the desire and also the policy of the Government to have the public sector and private sector work hand to hand and that they should both help in the progress of the nation. In the light of that. I think that mention may be made of certain aspects. I think that the same concern, Dalmia-Jain is again in the picture. I find also that in Bombay, enquiry is being made into the affairs of Bennett-Coleman and Co. I know that the matter is *sub-judice*. But we find that matter is lingering for a number of days. We also find that the directors are from the same family. Some directors are practically dummy directors who are not at all dealing with the affairs of the particular firm, and somehow, some outsiders, some persons who are pulling the wires from behind the curtain, are conducting the affairs of this company and such fictitious dealings and cheating of the shareholders are going on in such big firms as Bennet-Coleman & Co.

I find that the measure that is before the House is helping the Registrar to have a better audit and inspection. We note that in these companies undesirable practices are going on. Therefore, it is very necessary that the Registrar should be given wide powers in order that he may be able to check and mend matters and do certain desirable things at the proper time.

Then we find that a provision is made to the effect that the Registrar can inspect and audit without notice the accounts or books of any company and if he finds that a document is very important or necessary or if some manipulations are being carried on, then, in that case, that document can be had and the matter proceeded with. Again, in some companies, dubious practices are being followed. So, some provision is made in this Bill to find out that things that are prejudicial to the interests of the company and to the interests of the shareholders are not being done. The books are kept in such a way that the actual balances and other things which should find a place in the books are found there; the shares and the debentures do show the proper price of those shares and also the shares are sold or transferred at a price which is equitable and not to the detriment of the interests of the companies.

Moreover, certain things found in this measure do put a check on the transfer of shares or change of business. A company may change business and take to some other business without the permission of the shareholders. In that case, the Bill provides that the company has to obtain the permission of the shareholders and then alone it can take to some other business. Some criticism has been levelled against companies working in the public sector. In the public sector. The management is in the hands of Government and there is absolutely no scope for malpractices. We cannot guarantee that in the case of private companies. Therefore, the amendment that the company cannot take to some other business without the pre-

[Shri M. L. Jadhav]

vious consent of the shareholders is a healthy one.

Taking into consideration all these things, I find that these checks and counter-checks are very necessary in the interests of the public, of the nation and of the shareholders. Therefore, I support the measure that is before the House.

Shri T. T. Krishnamachari: Mr. Deputy-Speaker, Sir, I have listened with attention and care to what fell from the hon. Members who have intervened in this debate. I have no doubt that many of the criticisms that have been levelled against the particular provisions of this Bill would be gone into carefully by the Joint Committee, which is to be constituted if this House approves of the motion. If you look at the Members representing this House on this committee, it is a fairly long list of people with experience and Government will place all the facts that they have in regard to the reasons for our making these changes in the Companies Act before the Joint Committee.

Even so, I would probably have to refer to some of the criticisms made here. Naturally, the first place in regard to the consideration of criticisms made has to go to the hon. Member opposite, representing the Swatantra Party. I should be grateful, perhaps, to him for his criticism which was not as strong as usual, excepting in a general sort of way that, of course, Government goes on meddling in the affairs of private people and private companies; there is no justification for this Bill and so on. But it is a matter of judgment undoubtedly. In fact, if we can leave people free to do as they like, with this assurance that people will do them in the proper way, I think that would be an ideal state. Unfortunately, Utopia has never been a fact and governments have to rule and have to provide defences against mis-deeds and against what I said some time back, namely, the acquisitive instinct in man.

The very reason why we provide these regulations in the Companies Act is to give him freedom subject to those regulations. Naturally, nobody who is doing nothing wrong has any reason to be afraid. I agree with one thing that this Companies Act has to control companies. And, companies are what you may call normally joint-stock enterprise. That is controlled. Unless somebody comes forward to collect money from people and people are willing to subscribe money, and he starts a business, the Companies Act would not be called upon at all to interfere in his activity. In regard to certain acts that a person does by getting money from other people, naturally it is the duty of the Government to see that those monies are properly spent and companies are properly managed. So, it is something which is certainly a logical consequence of that freedom given to the people to use the company method of running business.

It is a matter of valued judgment whether that freedom should be unrestrained or restrained subject to good behaviour. That is probably where the hon. Member opposite and I differ. In fact, it is not intended to kill the companies. If it is intended to kill the companies, we can say, there can be no companies and each person must act individually.

Shri M. R. Masani: The intention may not be that, but the result will be that.

Shri T. T. Krishnamachari: As I said, it is a matter of valued judgment. His ideas and our ideas must necessarily be different. Otherwise, he would be on this side of the House. It is because of the mere fact that he differs from us that he has taken all the trouble of getting elected and come prepared to attack the Government and hold it up to ridicule or condemnation as the case may be. This is normal parliamentary warfare, if you would call it, and I have no quarrel at all with the hon. Member for

objecting or even to some extent putting a check on whatever Government wants to do. But where I differ from him is in his representation of facts as being otherwise than what they are, and also importing certain intentions.

Shri M. R. Masani: That is also a matter of opinion.

Shri T. T. Krishnamachari: This question whether the Companies Act is good enough as it is or it should be amended to make it less restrictive is again a matter on which there is considerable difference of opinion. I remember in 1955-56 when this Act was being enacted by this House, these matters were constantly mentioned. I do not know if the hon. Member opposite was here at that time; possibly not. An hon. Member, who is an extremely competent authority on company law and company management, referred to the Jenkins Committee report. Even at the time when the initial report was made about the operation of company law—the 1913 Act—in India by a committee presided over by Mr. Bhabha, they had made a departure from the British practice. I remember the law as it existed in 1948 after the committee went into it in Great Britain. There, the British Committee felt that all they have to do is merely to publicise every act done by a company. In fact, the Bhabha Committee itself did not take that view. The amendment of the 1913 Act which was undertaken in 1955-56 certainly departed from the view as held by people in Great Britain and one should recognise that the Jenkins Committee could only report on what was an accepted fact in Great Britain and not on what was a law in India. There may be some analogy; I do not say analogies are completely ruled out. But the approach to the problem is completely different. It may be that you have an enlightened body of shareholders who are active and all that needs to be done is to have something like the U.K. law here, namely, allow for the maximum amount of publicity and leave the rest in the hands of the shareholders. Unfortunately, the presumption here is the other way about. The shareholders are usually dumb and there should be somebody to speak for them.

I do not mind confessing that the only time I owned shares in any joint-stock concern was when I was a party to go and attend an annual meeting. I had qualifying shares for that purpose. Having attended that single meeting I lost interest in it. I do not own any shares nor do I have interest in any company. It is possible that a person may buy a share and attend a meeting probably to do something right or to create trouble. But that kind of aberration does not normally occur. We have heard of people attending a meeting and giving trouble. But normally most of the companies are not subject to this kind of scrutiny.

Therefore, the approach as to how a company should be administered, how far the company administration should be a matter of scrutiny and what kind of scrutiny should be made is something in which we have completely departed from the U.K. tradition, and the Act as it stands today, the amendments that have been made to it from time to time and the amendment that is now sought to be imported into this Act are motivated by considerations slightly different. It is that there is need for a check because the shareholders are not in a position to look after their interests. Apart from the shareholders' interest, there are certain things which a company can do and which will have an anti-social effect. Therefore, there is a little more in regard to the intentions behind this Companies Act and its various amendhents than what can be found in the law as it stands in the United Kingdom. That, Sir, is my justification for coming here with an amendment of the Companies Act and also for reference of this measure to the Joint Committee.

[Shri T. T. Krishnamachari]

Of course, the point raised by the hon. Member opposite was that you cannot quote the Vivian Bose Committee's report or the sequel to it—the Daphtary-Sastri Committee's report as an authority for the reason that the first report was made on certain facts which came ino being before the Companies Act was amended in 1956. Of course you cannot say the same thing in regard to Daphtary-Sastri Committee's report; excepting, a sort of, to say that there is no need for the report. As I said, it is a perfectly legitimate argument to put forward, but that does not mean that the mere fact that the Vivian Bose Committee found that the law as it stood in 1956 provided certain safeguards against occurences prior to that law being amended shows that the law need not be amended further if need be. Certain positions which were appreciated by the Vivian Bose Committee Report might have been dealt with if the law had been amended earlier. But since the law was amended later there are also certain things which could not be wholly dealt with by the amended law, and that is the justification for further amendments.

Sir, while I cannot say I feel ashamed of bringing forward these amendments.... *(Interruption)*. No matter whether an eminent lawyer, who happens to be also a friend of mine, has said that we bring forward two amendments every year, which of course is somewhat of an exaggeration which is permitted when people speak in public; I think every amendment that we brought forward is something which is necessary. In fact, it gives me no pleasure just to bring forward amendments for bringing amendments alone unless some necessity is pointed out.

The hon. Member opposite mentioned certain matters about which I referred in a meeting of the regional company law officials. It was not a public meeting, but it may be that somebody reported it. I do not deny it. I was speaking to people who are in charge of the administration of company law. I was also speaking to people who were making some research in that administration. In fact, what I said to them in regard to managing agents is not an *obiter*, because there is an obligation so far as Government is concerned that in August 1965 certain things will happen. If those things should not happen as the law indicates that it would or it should happen, well, we have to find out whether we should have an amendment, whether that amendment should be that some of the companies might have managing agents and others may not, whether some new companies might have them and others need not and whether certain industries which are developed to some extent need the support of the managing agents and others do not. Therefore, it is not intended to scare anybody because the market can be scared by the law as it stands today. The law says that on a particular day in the year 1965, unless otherwise indicated, the managing agents will have to go.

Shri M. R. Masani: That is not what it says. It says that there should be a committee to study the matter.

Shri T. T. Krishnamachari: Yes, there should be a committee of inquiry if necessary, if these things have got to be phased out. I thought if I had taken note of something that is to happen, it was not to scare people but it was something about which everybody knew. People who are functioning as managing agents know that in 1960 the Act was amended, otherwise this would have come into being in 1960. Therefore, I felt I was probably doing a service to ask these people who are in charge of the administration of company law to prepare a paper that may be necessary for the purpose of consideration of the whole issue, undoubtedly by a committee. It may be that that committee might invite evidence or it might take a narrow view of the situation—what it would do I do not know. But I think what I did is perfectly right, perfect-

ly logical, perfectly within the limits of whatever powers that I have and something that is also necessary. It is not something which I just mentioned merely for the sake of mentioning. Naturally, some decision will have to be taken by Government and everybody knows about it. There is no threat at all. The hon. Member may feel assured that the Government is not threatening anybody; certain facts will happen and the people have to be prepared for that.

The other thing he mentioned was—of course it has no relation to the companies' affairs at all—that I did something in 1957 and that was dropped. He asked whether something on those lines would be needed. Yes, it is true. I feel that there are certain companies which we do not allow to expand for the reason that they have reached the limits of expansion or that individual companies cannot expand for some reason or another. What shall we do about it, or what shall we do about their resources? Either you permit them to invest in other companies—cross-investment as you call it—or you advise some other method by which that money can be used. In fact, if I could only share my thoughts with the hon. Member, probably the hon. Member might applaud me and that will be objected to by other people. That is why I do not go further into the matter. The only point I want to mention is that while the hon. Member is perfectly right in holding up Government to ransom for anything that they may have said in matters not wholly germane but distantly, remotely related, I feel that that by itself—my having said a few things in other circumstances—need not make the House take a decision that this should not go before a Joint Committee.

Much was made by the hon. Member about blank transfers. I would like the hon. Member to read again what I said in my opening remarks. While the amendment has been tabled in regard to blank transfers, I said that there are two points of view. One condemns the move that we have made and the other condemns the somewhat halting action which we have taken and says that blank transfers should only be made in the case of depositing shares of certain recognised orphan institutions and not otherwise. So it is a matter in which I would like the Joint Committee to take a view. Personally, there is no denial of the fact that blank transfers, whatever may be the benefit that might accrue in the matter of convenience, is certainly a method of abuse. Blank transfers are virtually like bearer bonds. I have been told very often that if Government is persuaded to issue bearer bonds all the money that is secreted would come out. I do not know. But it is something which we do not relish, for one reason, a man who is honest is mulcted by taxation and a dishonest man is allowed to bring back into circulation his money in the form of bonds and earn some interest thereon. I think the question of bearer bonds is on all fours with blank transfers. A transfer has to take place and you do not know who gets the money and then you make a blank transfer. My hon. friend, who is certainly an expert on company management, knows that this question of bond-washing which has been the fashion in certain sections of our own economy, is something which deprives the exchequer a considerable amount of money. I do not believe for one moment, whatever might be my hon. friend's differences with Government, he wants people who really cheat the exchequer of its dues to be encouraged. I think he is one with everybody else in the country that everybody should pay tax so that the honest man's burden will be a little less. I should like him to look at it from that point of view, this question of bond-washing. I can single out parties—of course, I should not mention them in this House—who hold enormous amounts in stocks and shares but do not pay any tax thereon, because the dividends are drawn by somebody else; so, they do not come within the clutches of the law. It may be I have

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been foolish in allowing a little more concession in prior taxation of dividends last year. I should go back to the old idea that we should get the maximum tax first and then let the person come and make a claim for refund. That is one way at any rate of mitigating the benefits that a bond-washer gets. So long as these practices are followed, we have to devise some checks, and every check is an inconvenience. But there is no other way of doing it.

Shri Nambiar (Tiruchirapalli): What is the objection to banning blank-transfers?

Shri T. T. Krishnamachari: As I said earlier, there is a limitation to it. I would refer the hon. Member again to my opening remarks namely, that in regard to financial institutions blank transfers would be necessary. If you are going to pledge your shares with a financial institution, then you have to transfer your share to that institution or give them a blank transfer. Because, that is one of the methods by which people raise money and you cannot put people under restraint. Because, every person who owns shares would like to make some money thereby if he has some difficulty. So, we cannot altogether ban it. I have posed the question whether we should impose a little more restrictions. I leave it as it is.

One other question raised by my hon. friend, Shri Morarka, was the question of the commencement of business. Well, it looked as though our action could be held to ridicule. It is not so bad as that. I am quite prepared to consider any amendment that may be suggested. It is a fact that notwithstanding the very liberal powers given under the articles of association to any company, the shareholder would like to know what is being done after the first meeting. Any further expansional activities, even though permitted according to the articles of association, he would like to know about them. I am quite open to have this matter examined by the Joint Committee and if we could perhaps narrow it down by getting either a special resolution or even a general resolution in regard to any departure from the known activities of the company, the initial activities of the company, I am quite prepared to consider the matter.

But my hon. friend, Shri Morarka would not, I hope, object to my pointing out to the House that he made the Government look very ridiculous by reading from the articles of association of Government companies.

Shri Morarka (Jhunjhunu): No, I did not want the Government to look ridiculous. I said that the general scheme of this clause has proved very effective and that it has the making of historical experience. So, it cannot be abused like this. Even though the House of Lords had criticised it, they also recognised the effectiveness of it. That is what I said.

Shri T. T. Krishnamachari: I am glad that he has corrected my own understanding. The only thing I would like to mention is, so far as Government companies are concerned, if you say how or why a steel company should start restaurants or go into the timber trade, I suppose it is a question of taking power for doing everything that is necessary. Of course, steel companies do run restaurants, and I am told that in more civilised countries big steel companies do several other business besides those which are mentioned in the articles of association. Anyhow, I am glad for the correction.

Shri Morarka: My objection was to the usage of the term "doing business of" for the main object if ancillary things are done, that is a different matter. But here you say "company shall engage in the business of running a canteen". That is what I was pointing out.

Shri T. T. Krishnamachari: As a matter of fact, I have done a little research in a field about which I have been singularly ignorant, namely, the question of memorandum of association of various companies and I have got with me here the memorandum of association and other documents of seven private companies. So, I say that the Government is in very good company. If we have been stupid, we have been stupid like other people; if we have been wise, we have been wise like other people. I agree that Government cannot claim any originality in this matter. For example, I find Usha Refrigeration industry want to do working of ore business, spinners and dyers. I do not know whether refrigeration also wants to do dying. I merely want to say that if Government errs, it errs in very good company.

Shri Nambiar: The Usha sewing machine requires thread. Therefore, they are spinning threads

Shri T. T. Krishnamachari: I was referring to Usha Refrigeration,—not Usha sewing machine—putting people in cold storage.

In fact, I have been telling the people who are in charge of this administration that we should try, as far as possible, even if necessary by an amendment of the Act, to get most of the information that we require from these companies put in the annual report. Even now they are going to the registrar of companies, but when they are sent to the regional registrars sometimes they get lost and we have to go to the research department to get at them; so it is much better that we get once a year as much information as possible in the annual report.

The other point which was objected to is the question of cost audit. Well, I think we could probably take care to see that that information is not normally passed on to a competitor; unless it is absolutely necessary for the purpose of taking action against an erring company, the information need not be passed on to a competitor. I do not know, because spying seems to be so common even in government circles, I am perfectly sure that a competing company is able to get all the information that it wants from the other companies through perhaps the people who work there. Even so, I think some kind of safeguard could be there that unless penal action is called for the reports should be kept confidential. That is a matter which the Joint Committee might consider.

Another matter which was mentioned was about the chambers of commerce being consulted. I would only mention this. This Bill was introduced in the last session. It was before the public, and the chambers of commerce are extremely alert about these matters; they have their research sections and they have many eminent personalities. They have been studying it and I think they have also sent a memorandum for the consideration of the Joint Committee. It is not something which we are rushing through. It is not as if it was introduced day before yesterday, passed today and becomes law day after tomorrow. We are doing it in a very leisurely sort of way and so we should meet with the approval and even the approbation of the chambers of commerce.

14 hrs.

Then, my hon. friend Mr. Banerjee who is not here raised certain matters of individual companies. I think that does not fall part of this. I think the work of those individual companies neither justifies the passing of this Bill nor can it stand against the passing of the Bill. Some of these matters, I think, were also raised by him before and he has got answers by way of answers to his questions. I should not refer to them now. The only thing is this. If any matter comes before the Company Law Board or the Commission that it has, naturally it is being dealt with in a proper way. Sometimes, I agree, it may be

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a rather restricted view taken about it. But if it ever comes before the Minister, we try to put a sort of check on people taking an unduly restricted view. I for one would agree if my hon. friend Mr. Masani says, "By what yardstick do you judge that a particular person should be paid Rs. 2500 and not Rs. 4000?" I quite recognise this. These things change. We should not take an unduly restricted view on these matters unless it be that somebody in going to pay something for nothing. That is where we are asked to intervene. I do feel and I have told my officers frequently that we are not in a position to say that a man is only worth Rs. 4000 and not Rs. 5000 and whether paying Rs. 4000 more per month is going to make the company lose. These are all necessary in the case of small companies and very many small companies are private companies with which we do not interfere at all. I quite agree that there is room for considerable liberality in interpreting the sections of the Act. I for my part, so long as I am here, would urge on my officers to take a more liberal view of this aspect of their powers.

A mention was made about inter-company loans. Again, it is a matter which the Joint Committee will go into. But broadly, as regards inter-company loans—of course, my hon. friend Shri Morarka mentioned this question of loans by managing agencies—I do not think private companies would be affected by that.

Shri Morarka: Also public limited companies.

Shri T. T. Krishnamachari: I do not know whether the public limited company managing agencies will remain after August, 1965. But in a way it may be that in certain cases we should know what is happening. This question of using funds for lending even for short-terms is there. Sometimes it happens that they lend for a period of time and if you say, "All right, let us see the annual assessment", he might perhaps repay it on the 31st March so that there will be no debit. So, some kind of scrutiny is necessary in regard to these inter-company loans unless specifically permitted.

My hon. friend, Shri Morarka, mentioned an obvious anomaly of the Company Law doing something which is directly the opposite of what the fiscal device does. It does happen. By way of fiscal device, we give certain concessions in regard to inter-corporate investment. On the other hand, the the Company Law does not encourage it. I quite see there is room for rationalising this attitude somehow or other and, maybe, as I said, some other methods might be devised by which inter-corporate investment could be made through an agency. This is what I have in mind. I did not want to re-introduce my somewhat half-baked measures, as my hon. friend, Mr. Masani, put it, that I had in mind in 1957 which themselves were leading to something else. This question of inter-corporate investment cannot be regularised through some channel. I would like Mr. Masani to consider it and maybe we might be able to help. But this should be known. Therefore, I feel that the present amendment is justifiable. If the Joint Committee has something to say about it, naturally Government will certainly give a lot of thought to it.

Then, my hon. friend, Mr. Dwivedy's support was solid and I am very grateful to him. He mentioned one fact saying, "It is all right, you can pass laws but you should implement them". That is the intention. Otherwise, why should I take all this trouble if I had no intention of implementing them? Maybe somebody else later on, some years hence, may not do so.

Dr. M. S. Aney (Nagpur): I hope that will not happen.

Shri T. T. Krishnamachari: We had some powerful support from some of the lady Members of the House. *(Laughter)*. It is not a matter for

laughter. It merely shows that the fair sex thinks in advance of us. Certainly, I have found that on one or two other measures also I got support from them because they are more progressive and the acquisitive tendency, I believe, is less in a woman than, I think, in a man. I am very grateful for the support I got from Shrimati Renuka Ray, Shrimati Mukerjee and the hon. Member from Andhra on this matter.

My hon. friend, Mr. Gandhi, and the hon. Member opposite spoke about the various provisions. I will have all these placed before the Joint Committee.

So far as the point of teeth is concerned, there is only one thing, that my hon. friend Mr. Nambiar made a slight error. You might say, these are worn-out teeth which probably I have but they are certainly not milk teeth because nobody even in a second childhood does get milk teeth. The teeth may not be strong enough, they may not bite, there may be loopholes somewhere, but they are teeth nevertheless.

Shri Nambiar: If they are old, they should have been used in biting earlier. There was no occasion to do so. That is why I said they must be child's teeth.

Shri T. T. Krishnamachari: My hon. friend knows we gulp our food. It is only later on we are told that we should chew our food and masticate it and then eat it. That kind of wisdom comes a little later in life and it might come to me just now.

Sir, I am very grateful to the hon. Members who have made many suggestions and I shall have these suggestions tabulated and put before the Joint Committee. I do hope that when the Bill comes back to this House, it would perhaps be modified in such a manner as would satisfy the desires of the majority of the hon. Members of this House.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Companies Act, 1956, be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely:

Shri S. V. Krishnamurthy Rao; Seth Achal Singh; Shri A. Shanker Alva; Shri Ramchandra Vithal Bade; Shri Rajendranath Barua; Shri Bali Ram Bhagat; Shri Dinen Bhattacharya; Shri N. C. Chatterjee; Shri Sachindra Chaudhuri; Shri N. Dandekar; Raja P. C. Deo Bhanj; Shri Bhaskar Narayan Dighe; Shri G. N. Dixit; Shri Gajraj Singh Rao; Shri Prabhu Dayal Himatsingka; Shri Cherian J. Kappen; Shri R. N. Yadav Lonikar; Shri Madhu Limaye; Shri Ghanshyamlal Oza; Shri Shivram Rango Rane; Shri J. Ramapathi Rao; Shri R. V. Reddiar; Shri Era Sezhiyan; Swami Ramanand Shastri; Shri Digvijaya Narain Singh; Shri Sivamurthi Swami; Shri Radhelal Vyas; Shri K. K. Warior; Shri Nagendra Prasad Yadav and Shri T. T. Krishnamachari;

and 15 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of the first week of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 15 members to be appointed by Rajya Sabha to the Joint Committee."

The motion was adopted.

14.09 hrs.

INDIAN TARIFF (AMENDMENT) BILL

The Deputy Minister in the Ministry of Commerce (Shri S. V. Ramaswamy): Mr. Deputy-Speaker, Sir, I beg to move:

> "That the Bill further to amend the Indian Tariff Act, 1934, be taken into consideration."

This Bill mainly seeks to amend the First Schedule to the Indian Tariff Act, 1934, in order to give effect to Government's decisions on certain recommendations of the Tariff Commission. Hon. Members will have observed from the Statement of Objects and Reasons attached to the Bill that the Bill seeks—

(a) to continue protection beyond the 31st December, 1964, in the case of Aluminium and Dyestuff Industries; and

(b) to discontinue protection with effect from the 1st January, 1965, in the case of soda ash, calcium carbide, caustic soda and titanium dioxide industries.

Copies of the Tariff Commission's reports on all these industries and of Government's Resolutions issued on these Reports have already been laid on the table of the House and notes on each of these industries have also been circulated for the information of Members of this House. The notes circulated to the Members contain the gist of the Tariff Commission's recommendations for the continuance of protection in each case. Hon. Members will no doubt have gone through the documents and I shall not, therefore, take much time of the House by going into the details of these industries. The House is also aware of the composition and functions of the Tariff Commission. A review of the work of the Commission has been circulated to hon. Members already.

I shall first deal with the industries in respect of which protection is proposed to be continued beyond the current year. I take up the case of the aluminium industry first. In 1949, the protection was granted to this industry, and the period of protection was extended from time to time and is due to expire on the 31st December, 1964. In 1960, that is, at the time of the last inquiry, there were two units of the industry and now the industry consists of three units. The ingot capacity of these three units increased from 17,800 tonnes in 1960 to 53,800 tonnes in 1964. Licences have been issued for an aggregate capacity of 60,000 tonnes including 10,000 tonnes to a new unit, Madras Aluminium Co. (Salem Plant) which is expected to go into production by early next year. Another unit, Tandulkar Industries (Private) Ltd. which was licensed for a capacity of 20,000 tonnes could not make any progress and its licence had to be revoked. With the establishment of the additional capacities, the total ingot capacity of the industry would be of the order of 113,800 tonnes by the end of 1967.

Besides two units namely the Aluminium Corporation of India and India Aluminium Co., nine other units fabricate rolled products other than wire rods. The combined capacity of these 11 units increased from 19,000 tonnes in 1960 to 27,100 tonnes at present. This expansion was contributed by two units mentioned above, capacities of which rose by 300 and 7,800 tonnes per annum respectively. Licences have been granted for expansion of capacity to other units.

श्री हुकम चन्द कछवाय (देवास) : उपाध्यक्ष महोदय, आन ए प्वायंट आफ़ आडर । क्या इतना महत्वपूर्ण बिल बिना क्वोरम के ही पेश किया जायेगा ?

Mr. Deputy-Speaker: The quorum bell is being rung—Now, there is quorum. The hon. Minister may continue his speech.

Shri S. V. Ramaswamy: When all these licences are implemented, the

rolling capacity would rise from the present 27,100 tonnes to 56.960 tonnes. Moreover, there are a number of small units whose combined capacity is estimated by the Non-Ferrous Metals Manufacturers' Association at 6,000 tonnes and by the Development Commissioner, Small-scale Industries, at 8,000 tonnes per year.

Licences have also been granted to certain firms to manufacture foils. When all these expansion schemes materialise, the capacity for foils including container sheets will increase to 8.400 tonnes by 1967.

The aluminium industry has become quality-conscious and the quality of indigenous aluminium ingots is stated to be comparable to that of the imported ones. The quality of fabricated products and alloys has also attained a high standard.

Taking into account all the considerations the Commission recommended continuance of protection to the industry for a further period of four years ending 31st December, 1968, at the existing rate of duty exclusive of surcharge and the countervailing excise duty. Government have accepted the recommendations.

श्री हुकम चन्द कछवाय : उपाध्यक्ष महोदय, हाउस में फिर कोरम नहीं है ।

उपाध्यक्ष महोदय : है ।

श्री हुकम चन्द कछवाय : आप गिन लीजिए । मैं चैलेंज करता हूं कि कोरम नहीं है ।

Mr. Deputy-Speaker: The quorum bell is being rung—Now, there is quorum. The hon. Minister may continue his speech.

It is a reflection that within five minutes, the quorum bell had to be rung for a second time. I would request hon. Members to remain in their seats and maintain quorum in the House.

Shri S. V. Ramaswamy: I shall now turn to the dyestuff industry, a section of which was first protected in 1955 for a period of ten years. The Tariff Commission, on the basis of its earlier recommendation, reviewed the industry in 1962 but no change either in the existing *ad valorem* duty or the existing period of protection was recommended by the Commission.

At the time of the first inquiry in 1954, there were only seven units in the industry and at the time of review of the industry in 1962, the number had gone up to 18 in the organised sector and 86 in the small-scale sector. At present, there are 21 units in the organised or large-scale sector and 120 units in the small-scale sector. 12 of the organised units are producing protected and/or non-protected dyes and the remaining 9 only non-protected dyes. The capacity of both the sectors has increased from 2022 tonnes in 1954 to 13,628 tonnes in 1962 and 22,892 tonnes in 1964. The increase is due mainly to the small-scale sector whose capacity has gone up from 3979 tonnes in 1962 to 11.722 tonnes at present.

I may add here that all the assential inorganic chemicals except sodium nitrite and caustic potash are indigenously available but bulk of the requirements of intermediates (primary and (complex) for the manufacture of dyestuff is met from imports. There is a scheme to manufacture 47 intermediates in the public sector proposed to be set up at Panvel near Bombay. In addition, some units in the private sector have been licensed to manufacture the majority of intermediates. For ensuring easy imports of intermediates not being produced in the country, the Tariff Commission has recommended up to the 31st December, 1967 concessional duty of 10 per cent *ad valorem* (standard) and nil (preferential) on thirty specific intermediates including 19 intermediates which are already enjoying duty concession up to the 31st December, 1964.

The quality of the dyestuffs manufactured in the country by most of the producers is, by and large, found to be satisfactory though there is a a scope for further improvement.

[Shri S. V. Ramaswamy]

On the basis of the comparison of fair ex-works prices with landed costs ex-duty of imported intermediates and the dyes, the Commission has recommended protective duties up to 31st December, 1967, on the following articles at the rates mentioned in the Bill, namely 2-amino-anthraquinone, benzanthrone, and beta-oxy-naphthoic acid (B.O.N. Acid). The three items are mentioned in the Bill.

As regards dyestuffs, the Commission has recommended continuance of protection to dyestuffs covered by I.C.T. item Nos. 30(15) and 30(16) for a period of three years ending 31-12-1967 at the existing rates of duty (*viz.* 20 per cent *ad valorem*). The Tariff Commission also recommended protection to the following till 31-12-1967:

(a) Naphthols at the existing rate of duty of 50 per cent *ad valorem.*

(b) Fast colour bases at 100 per cent *ad valorem.*

Government have accepted the recommendation of the Tariff Commission so far as continuance of protection to the industry is concerned. As regards the rates of duty on fast colour bases, benzanthrone and Beta-oxy-naphthoic Acid (B.O.N. Acid), Government consider that standard protective rates should not exceed 75 per cent *ad valorem*, and accordingly it has been decided that the following protective duty may be levied on the articles mentioned against each. The names of these several items and the rates of duty are mentioned in the Bill. The rates of duty mentioned above have been brought into force with effect from 14-12-1964 by notifications published separately in the Gazette of India, dated the 14th December, 1964.

I shall now deal with the industries which are proposed to be deprotected from 1-1-1965. They are soda ash, calcium carbide, caustic soda and titanium dioxide industries. The Tariff Commission recommended continuance of protection in regard to these four industries also and the details thereof are given in the notes already circulated to the Members of the House.

Under the shelter of protection, these four industries have made good progress and the consumers are generally satisfied with the quality of indigenous products. The Tariff Commission's recommendations for continuance of protection to these industries for some more years have been considered carefully by Government, and, having regard to the progress the industries have made so far and the fact that in the present circumstances there is no likelihood of any unhealthy competition from imports, Government consider that tariff protection to these industries need not be continued beyond 31-12-1964. Government, however, propose to continue the present rates of duty on soda ash, calcium carbide, caustic soda and titanium dioxide on deprotection. As the current prices of caustic soda had revealed an upward trend, the tariff value on caustic soda has been abolished with effect from 1st December, 1964. Simultaneously, caustic soda has been exempted from payment of so much of customs duty leviable thereon under the tariff as is in excess of 40 per cent *ad valorem* (preferential) and 50 per cent *ad valorem* (standard). This has been done as caustic soda is an important raw material, and the industry may not have to bear higher duty on abolition of tariff value on caustic soda.

I move.

Shri Solanki (Kaira): I welcome this Bill. Looking at the report of the Tariff Commission, I also appreciate the splendid work that the Tariff Commission has done.

The items which have been deprotected by this amendment are soda ash, calcium carbide, caustic soda and titanium dioxide. All the four items were recommended for continued protection by the Tariff Commission.

However, not regarding the advice of the Tariff Commission, they are discontinuing further protection.

In the case of soda ash, I think it was reasonable to discontinue the protection, but the other three items have not enjoyed the same period of protection as soda ash. In their report, the Tariff Commission have clearly mentioned the shortage of titanium dioxide. This means that we might have to face shortage in this item which is being deprotected. I would request the Minister to consider giving a further period of protection for this item. Since we are not sure that imports will not have to be made, this item should be protected.

The other two items, calcium carbide and caustic soda, also need at least protection for as long as was given to soda ash, because, in all these items, the prices, as the Minister himself stated, are varying to some extent, and since we are not confident enough to control their prices and assure supplies, they should have been given continued protection for some time.

The reasons for deprotection given in all these items are more or less the same, almost in a parrot-like fashion, namely that since they do not have any unhealthy competition from imports and since there is no need of imports, these items have been deprotected. But, I think the Ministry should have taken care to consider these items one by one on their own merits and then decided on continuation or discontinuation, particularly as the Tariff Commission has recommended continuation, pointing out the anticipated shortage in items like titanium dioxide.

I have nothing more to add.

Shri S. V. Ramaswamy: I have nothing more to add to what I have said already. The whole thing was considered. There is one firm manufacturing titanium dioxide, and that is in Kerala. The reasons have been given as to why discontinuance has been decided upon. Government have given careful consideration, and feel that in the present circumstances there is no likelihood of any unhealthy competition from imports, a point which the hon. Member is stressing. In view of this, there is no need to continue protection.

Shri Solanki: May I ask one question? The Tariff Commission, while dwelling on the availability of the protected commodities, have clearly mentioned short supply of titanium dioxide. Would the Minister clarify the position as to what would be the supply position in future? When we find that there is a shortage, what are we going to do? And, therefore, why this item is deprotected?

Shri S. V. Ramaswamy: There will be time enough, to consider the position. As at present, there is no shortage of this material, and there is no fear of any unhealthy competition from imports. If there is any new development, there will be time enough to review the position.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Indian Tariff Act, 1934, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Mr. Deputy-Speaker: The question is:

"That Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri S. V. Ramaswamy: I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

14.29 hrs.

OFFICIAL TRUSTEES (AMENDMENT) BILL

The Deputy Minister in the Ministry of Law (Shri Jaganatha Rao): On behalf of Shri A. K. Sen, I beg to move:

"That the Bill further to amend the Official Trustees Act, 1913, as passed by Rajya Sabha, be taken into consideration."

This Bill seeks to give effect to the recommendations of the Law Commission in its Sixteenth Report. India was the first country to appoint a public trustee in 1864. Thereafter, in 1913 the Official Trustees Act came into existence. This Act has been in force for over 45 years. The Law Commission examined the working of the Act, and in its Sixteenth Report observed, and I quote:

"It is on the whole a comprehensive and well-drafted piece of legislation, and it does not require any substantial changes."

No difficulties have been felt in the interpretation of the various sections of the Act, and therefore, they say they are of the opinion that the Act does not require any substantial changes. However, the Law Commission suggested some formal amendments. In pursuance of those recommendations this Bill was introduced in the Rajya Sabha and was passed by the Rajya Sabha.

Clause 2 of the Bill seeks to omit the preamble in the parent Act. The present practice is not to have preambles in the Acts. To bring it in conformity with the present practice the preamble in the original Act is now sought to be omitted.

In clause 3 of the Bill, clause (2) of section 2 of the Act is sought to be omitted. Clause (2) of section 2 defines "High Court". "High Court" is already defined in the General Clauses Act of 1897. Therefore the definition in this Act is superfluous, and so its deletion is sought.

Clause 4 of the Bill seeks to reintroduce section 3 of the original Act which was omitted by the Adaptation of Laws Order, 1956. In practice, difficulty was found that where the properties which were being administered by an Official Trustee were situated in various parts of the State we had to approach various District Courts. Therefore, the jurisdiction of the High Court is now sought to be provided, and at the same time the jurisdiction of the District Court is retained.

Clause 5 is an important clause which seeks to prescribe minimum qualifications for an Official Trustee. This clause would be on a par with the similar section, section 3, in the Administrators-General Act, 1963. This qualification is required to be fixed, because in many States the same person is Administrator-General and also Official Trustee. Under that Act the qualifications of the Administrator-General are fixed. So also, similar qualifications are now being prescribed for a person to be appointed as Official Trustee.

Clause 6 refers to the qualifications of a Deputy Official Trustee. This, again, would be on a par with the qualifications prescribed for the Deputy Administrator-General in the Administrators-General Act of 1963.

The other clauses are merely formal. In clause 13 it is now sought to delete the word "interest" and substitute it by the word "income", because income is more comprehensive than interest.

Clause 14 is the usual clause wherein it is said that the rules framed by the Central Government have to be laid on the Table of the House.

This in brief is the substance of the Bill.

Sir, move.

Dr. M. S. Aney (Nagpur): The whole Bill, as a matter of fact.

Mr. Deputy-Speaker: Motion moved:

> "That the Bill further to amend the Official Trustees Act, 1913, as passed by Rajya Sabha, be taken into consideration."

One hour is the time allotted.

Shri Solanki (Kaira): Sir, while welcoming this Bill, I would like to ask the hon. Minister for one clarification.

Here, in the qualifications for appointment as a Deputy Official Trustee, a certain period of experience as advocate has been laid down, as has also been done in the case of the Official Trustee himself. And if the Deputy Official Trustee has to qualify for the office of the Official Trustee, he has to put in five years experience, besides the usual qualifications as an advocate. That is to say, if the Deputy Official Trustee is appointed to the post of Official Trustee, he has to put in this five years experience in addition to the period of three years practice as an advocate. This would make it rather difficult as he is putting 8 years experience, a year more than others who are not even attached to this department. Generally an advocate has to put in seven years practice to become an Official Trustee. But if this gentleman has remained in position for five years as a Deputy Official Trustee—and he has already had three years practice as an advocate—that makes it eight years for him. On that point I would like to have a clarification from the hon. Minister as to why he has to put in an extra year to qualify for this post.

Secondly, in clauses 5 and 6 it is provided that appointments to these posts can also be of High Court Judges and from the judicial service of a State. In regard to this I would like to point out that no advocate or attorney who is connected with a political party or who has any leanings towards any political ideology should be appointed to such a position, because it is liable to affect the work that we have before us. Therefore I would like to suggest that appointment which is made to this post should be observed in this light that no person or authority, judge, advocate or attorney who has any leanings towards a political ideology should be appointed to this post.

Shri Ranga (Chittoor): Hear, hear.

Shri Solanki: And finally, as regards the accounts which are submitted by the Official Trustees, there is a delay in it. And I think it is necessary that some efficiency should be introduced in this Department, so that there is no mismanagement or misuse of the position of Official Trustee or the Trust as a whole.

Dr. M. S. Aney: May I ask one question of my hon. friend, whether he means to say that any person who is going to be appointed, if he happens to be a member of any political party, should be debarred from such appointment? Is that what he wants?

Shri Solanki: That is right.

Dr. M. S. Aney: That, after such appointment, he should have no connection with any political party, is a different thing.

Shri Solanki: That is what I would suggest.

Dr. M. S. Aney: That is a different thing.

Shri M. P. Swamy (Tenkasi): As has been pointed out by the previous speaker, in the qualifications for appointment as Official Trustee there is some anomaly. For instance, if a person is directly recruited to that

[Shri M. P. Swamy]

post, only seven years' standing at the Bar is necessary. But if a Deputy Official Trustee is to be appointed as Official Trustee, he has to put in a service of five years as Deputy Official Trustee and a period of three years' practice at the Bar. That means eight years. So, as compared to the man who comes by direct recruitment, the man who comes by promotion from the service has to put in one year more. The hon. Minister will kindly throw some light on this matter and explain this position.

The other matters in the Bill are merely consequential. Clause 14 makes a new rule here. According to the parent Act, as soon as a rule was published in the Official Gazette it became a part of the law and it came into force. But now, Parliament is given the power to scrutinise the rules framed under the Act and given power to make modifications, so that we can check the activities of these persons.

With these observations I support the Bill.

Shri Jaganatha Rao: Sir, the hon. Members wanted some clarification. I may submit at the outset that under the principal Act of 1913 there is no provision for a Deputy Official Trustee being promoted as Official Trustee. Now we are giving him an opportunity to be promoted. Now, minimum qualifications are laid down for the post of Official Trustee and for the post of Deputy Official Trustee. If a person is appointed as a Deputy Official Trustee he has to put in a minimum of five years service in that post to be promoted as Official Trustee. So it may so happen that a person who is qualified, who has got three years' standing at the Bar, if he chooses to apply for the post of Deputy Official Trustee and he is appointed, has to take the consequences; whereas a person who is directly appointed has that advantage over him. For instance, a graduate becomes an IAS officer direct, and another joins the Secretariat service and he has to wait for promotions. That difficulty or hardship is there.

There is another point. A person belonging to the State Judicial Service has to put in a minimum service of ten years to qualify as Official Trustee, whereas the Deputy Official Trustee will have to put in only eight years—three years at the Bar initially and five years experience as Deputy Official Trustee; the total is eight years. Therefore, the condition in this clause is not more onerous than that in clause 5. Therefore there is no hardship to a person who is appointed as Deputy Official Trustee. There is no difficulty in that.

Regarding the political affiliations of a person to be appointed as Official Trustee or Deputy Official Trustee, may I submit that in respect of any person who enters government service his antecedents are taken into account before he is appointed. Therefore, political affiliations cannot come into play where a person is appointed in government service.

Mr. Deputy-Speaker: The question is:

> "That the Bill further to amend the Official Trustees Act, 1913, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

> "That Clauses 2 to 14 stand part of the Bill."

The motion was adopted.

Clauses 2 to 14 were added to the Bill. Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri Jaganatha Rao: Sir, I move:

> "That the Bill be passed."

श्री हुकम चन्द कछवाय (देवास) : उपाध्यक्ष महोदय, इस समय हाउस में कोरम नहीं है । बिना कोरम के बिल को पास नहीं करना चाहिये ।

Mr. Deputy-Speaker: The Bell is rung—now there is quorum. I must again the remind the House that this is the third time that the Bell is being rung in the last 40 minutes. The question is:

"That the Bill be passed."

The motion was adopted.

श्री रामसेवक यादव (बाराबंकी) : उपाध्यक्ष महोदय, इस कोरम के बारे में मैं कहना चाहता हूं कि आज अब तक 6 बार कोरम की घंटी बज चुकी है । अब यह जिम्मेदारी सरकार की है कि वह कोरम को रक्खे । लेकिन जब इतनी गैर जिम्मेदारी से इस सदन का कार्य चल रहा है तो मैं आप से निवेदन करूंगा कि आज की बैठक को स्थगित कर दिया जाये ।

उपाध्यक्ष महोदय : हर एक मैम्बर की जिम्मेदारी है कि वह कोरम रक्खे ।

श्री रामसेवक यादव : यह आप की जिम्मदारी नहीं है बल्कि यह तो सरकार जिसे कि अपना बिजनैस पास कराना होता है उसकी जिम्मेदारी है कि वह उसके लिए जरूरी कोरम बनाये रक्खे ।

14.4 hrs.

REPEALING AND AMENDING BILL

The Deputy Minister in the Ministry of Law (Shri Jaganatha Rao): Mr. Deputy-Speaker, on behalf of Mr. A. K. Sen, I beg to move:

> "That the Bill to repeal certain enactments and to amend certain other enactments, as passed by Rajya Sabha, be taken into consideration."

Sir, this is a formal measure which is periodically brought before the House to bring the statute book uptodate because some of the enactments have spent themselves out and are no longer required. The enactments which are proposed to be amended are enumerated in the Second Schedule while the enactments sought to be repealed are in the first Schedule. The enacts sought to be repealed have ceased to be in force or have become obsolete or their retention has become unnecessary. The notes on the Schedules give the reasons why certain legislation is sought to be repealed or why certain laws are sought to be amended. The amendments that are sought to be made are merely of a formal nature and they do not go to the root of any matter. This a routine measure and I move.

Mr. Deputy-Speaker: Motion moved:

> "That the Bill to repeal certain enactments and to amend certain other enactments, as passed by Rajya Sabha, be taken into consideration."

Shri Solanki (Kaira): Mr. Deputy Speaker, I only want some clarifications on this Bill. On page 9, line 9 on the Second Schedule they want the figure 225 to be substituted for the figure 226. I had correspondence with the Chartered Accountants Association and they wrote to me that figure 224 was to be put there. I would like to know whether it is a mistake on the part of the Government that for 224 they have put here 226. Because the item 224 is again missing from this Bill.

श्री शिवमूर्ति स्वामी (कल्पिल) : उपाध्यक्ष महोदय, इस रिपीलिंग एण्ड एमेंडिंग बिल के बारे में मुझे केवल यह निवेदन करना है कि खास तौर पर स्वतन्त्रता प्राप्ति करने के पश्चात् बहुत से ऐसे क़वानीन और रूल्स जो कि हमारे मूलभूत हक़ और अधिकारों के खिलाफ़ जाते हैं उनको रिपील करने के लिए सरकार एक विशेष कमेटी नियुक्त करे या फिर इसी ला कमीशन के जिम्मे यह सब देखने का काम सुपुर्द करे ताकि ऐसे सारे इनएक्टमेंट्स रिपील किये जा सकें । मुझे मालूम है कि ऐसे बहुत से क़वानीन हमारी स्टैचूट बुक्स में हैं जो कि हमारे फंडामेंटल

[श्री शिवमूर्ति स्वामी]

राइट्स के खिलाफ़ जाते हैं और उनके बारे में इस समिति को खास तौर पर देखना चाहिए ।

उदाहरण के लिए मैं सदन को बतलाना चाहता हूं कि क्रिमिनल प्रोसीज्योर कोड में जो 107 धारा है उसमें फर्स्ट क्लास मजिस्ट्रेट को पावर्स देने के बारे में लिखा हुआ है । कुछ इलाकों में डिवीजनल कमिश्नर फर्स्ट क्लास मजिस्ट्रेट माना जाता है और उसके बाद में तहसील में एक तहसीलदार भी उस के काम को चलाता है । अब ज़ाहिर है कि दफ़ा 107 में जो पावर्स सिर्फ एक मजिस्ट्रेट फर्स्ट क्लास को दी गई है वही पावर्स जब एक तहसीलदार इस्तैमाल करता है तो उसके बुरे असरात पैदा होते हैं और खुद हमारे यहां अभी हमने देखा कि इस तरह से तहसीलदार द्वारा 107 में ऐक्शन लिया गया और तक़रीबन 5–6 आदमियों के फंडामेंटल राइट्स को पामाल करके 3 महीने तक जेल में रक्खा गया है । यह चीज बिल्कुल गैर कानूनी है और यह उन सिटीजन्ज के फंडामेंटल राइट्स के खिलाफ जा रही है । इसलिए मैं मन्त्री महोदय से यह पुरजोर अपील करूंगा कि वे इसके लिए या तो एक विशेष कमेटी नियुक्त करे या ला कमीशन से इस के लिए रिकवैस्ट की जाये कि वह इस चीज को देखे कि रिआर्गेनाइजेशन आफ स्टेट्स के बाद जो बहुत से लोकल ऐक्ट्स हैं और जिनका कि सेंट्रल ऐक्ट्स से क्लैश होता है उनका रिवीजन किया जाना बहुत ज़रूरी है । जहां पर इस तरह के इनऐक्टमेंट्स को रिपील किया गया है उनका मैं समर्थन करते हुए जैसा कि मैंने बतलाया और क्रिमिनल प्रोसीज्योर कोड की दफ़ा 107 का हवाला भी दिया उसके और जो दूसरे लोकल ऐक्ट्स होते हैं और वे सिटीजन्स के फंडामेंटल राइट्स के खिलाफ जाते हों या जो सेंट्रल ऐक्ट्स से क्लैश करते हों उन सब के बारे में देखभाल कराई जाये । बस मुझे इतना ही कहना था ।

Shri Jaganatha Rao: Mr. Deputy-Speaker, Sir as the House knows, the Law Commission has gone through various enactments and suggested amendments; it has published 26 reports it is now examining the Civil Procedure Code and the Criminal Procedure Code. We are always ready to introduce necessary amendments suggested by the Law Commission. The working of the Criminal Procedure Code is a matter for the State Governments because it relates to the law and order and the Government of India has nothing to do with it. Regarding the point raised by my hon. friend, may I refer him to the notes on clauses. He referred to section 226 of the Companies Act. The notes on clauses explain that this amendment seeks to rectify the mistake. By mistake section 226 had been mentioned and we are now trying to correct that mistake.

Mr. Deputy-Speaker: The question is:

"That the Bill to repeal certain enactments and to amend certain other enactments, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That Clause 2 to 5, Schedule I and Schedule II stand part of the Bill."

The motion was adopted.

Clauses 2 to 5, Schedule 1 and Schedule II were added to the Bill.

Clause I, the Enacting Formula and the Title were added to the Bill.

Shri Jaganatha Rao: Sir, I move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

14·50 hrs.

GOLD (CONTROL) BILL

The Minister of Finance (Shri T. T. Krishnamachari): Mr. Deputy-Speaker, Sir, I beg to move:

> "That the Bill to provide, in the economic and financial interests of the community, for the control of the production, supply, distribution, use and possession of, and business in, gold and ornaments and other articles of gold and for matters connected therewith, as reported by the Joint Committee, be taken into consideration."

I have on several occasions and also when I moved the Bill for reference to the Joint Committee, dealt with the circumstances under which Gold Control had been introduced and what its principal objectives were. I have also, for the information of the Members of the House, circulated a brief note on the subject and therefore it is not necessary to repeat what has already been said about the basic objectives of this measure.

On the 5th June, 1964, this Sabha adopted a motion referring the Gold (Control) Bill, 1963 to a Joint Committee. The Rajya Sabha concurred in that motion on the 6th June, 1964. The Joint Committee held thirteen sittings in all. Having regard to the importance of the subject and the interest taken by the public, the Committee decided to hear evidence of associations and others desirous of presenting their views or suggestions and for this purpose issued a Press Communique inviting memoranda. 1,99,678 memoranda and representations were received by the Committee from various associations and individuals. The Committee gave an opportunity to 47 associations as well as a Member of Parliament to give oral evidence before it. Certain officials were also examined.

The Joint Committee has presented its report to this Sabha. That report fully explains the reasons for the change made by it and I would not like to take the time of the Sabha by repeating them. However, it is necessary to comment on the main points raised in the various minutes of Dissent and to touch upon some of the more important changes made by the Committee.

In most of the minutes of dissent, the 14 carat rule has been singled out for strong criticism. Apart from its unpopularity, it has been argued that once people start taking to 14 carat ornaments, they will be buying more gold ornaments than before because their intention would be to possess a certain pre-determined quantity in terms of pure gold content. Consequently, the object of reducing the demand for gold will be defeated. On these grounds, some Honourable Members have urged that instead of quality control, there may be quantity control. While accepting the need for controlling the price and distribution of gold, some members have suggested that a statutory body like the State Trading Corporation or the Khadi Gramodyog Commission should be entrusted with the monopoly of buying and selling of gold in the country.

The object of the 14 carat rule is to make the existing supply of gold go round to a greater extent than before. Generally, when people go in for ornaments, they do not have the intention of acquiring a pre-determined quantity of gold. They are guided by the existing social customs and go in for, say, a set consisting of bangles, necklace and ear-rings. Obviously, for making this set, much less gold will be required if the ornaments are

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of 14 carat than 22 carat. If the 14 carat rule is abrogated, there would be no reduction in the demand for gold and the position would be the same as without gold control. When 14 carat ornaments become acceptable as a rule to the people it will not lead to any increase in the demand for gold. If a larger number of ornaments are purchased, there is a corresponding extra making charge which will be a waste at the time of resale. Further, there will be no desire, at least for those in the lower and middle income groups, to have more than, say, one full set or ornaments. It has also to be noted that there is an aversion to 14 carat ornaments as such. All this will militate against an individual holding a larger quantity of ornaments in 14 carat gold than in the past.

The alternatives of quantity control, either by limiting the weight of individual ornaments or the total holdings by an individual, have been suggested. If only the weight of individual ornaments is restricted, then the acquisitive instincts for gold ornaments will be in full play and there will be no reduction in the demand for gold as is the purpose behind the Bill. Imposition of a ceiling on total holdings by an individual bristles with administrative difficulties and will lead to possible harassment to individuals. In fact even the limitation for which power has been taken is so wide of the mark of what normally individuals will have. Nor will the suggestion to set up a statutory corporation for controlling prices and distribution be practicable at present. Manufacture of ornaments will have to be entrusted to a large number of scattered goldsmiths and dealers and, with a chronic shortage of gold, malpractices will abound and the corporation will find itself ineffective. It has to be recognised that in present conditions jewellers and other dealers in gold trade can only be permitted to function on the basis of their dealing in an identifiable quality of gold as apart from those that are smuggled. The consequence of dropping the quality control on gold would be that the dealers and jewellers in gold will have to give up dealing in gold altogether.

The investment aspect of gold as a motivation for the villager and the peasant has been stressed in some Minutes of Dissent. According to them, our rural banking system being next to nothing. the villager always hopes to raise some loan by pledging his ornaments. Some people say that the present food situation has been accentuated by the restrictions on gold trade because the farmer being prevented from converting the sale proceeds of his grain into gold, clings on to his surplus grain. I am afraid this view is not correct. In recent years, there has been a great expansion of banking facilities. In 1958, there were 4,605 branches of banks. At the end of 1963, the number had risen to 5,573. The number of post-offices with savings bank facilities was 15,618 in 1958. Since then, there has been a phenomenal rise and there are now 42,594 Post-offices, spread throughout the country, which provide savings bank facilities. In this context, it would be incorrect to say that our rural banking system is next to nothing. Furthermore, there are vastly increased and enlarged facilities for the purchase of small savings certificates, unit trusts, and for taking life insurance policies. Times and attitudes of people have changed and in these times, we should not think of primitive and dead investment. It is of paramount importance that people's savings should be progressingly channelised in productive investments designed for national development. The theory of a connection between gold control and high food prices is obviously incorrect. Long before gold control, there have been instances of grain prices spurting up.

Certain Hon'ble Members have voiced an apprehension that the gold-

smith's craftsmanship which is highly sophisticated art may be lost like the art of manufacturing muslin. They have naturally urged that it is not only essential that this art should be preserved at all cost to provide employment to the skilled artisans but should be exploited to earn foreign exchange through exports. According to them, rehabilitation of the artisans in other trades and industry will not be in the best national interests and would mean sacrificing this traditional skill.

Government are fully aware of this aspect of the problem and have already taken suitable measures. To ensure that traditional skills are utilized for exports, facilities have been given in two ways. Certain dealers are authorised to manufacture jewellery 'in bond' by obtaining gold from their clients abroad. Others have been authorised to manufacture jewellery out of gold available within the country, including ornaments of over 14 carat purity, for purposes of export. All facilities have been given for the export of Indian jewellery which has a demand abroad and the Ministry of Commerce have also made provision for export incentives. Furthermore, nearly 2,00,000 goldsmiths and 12,000 dealers are employed in the remaking of ornaments and in the manufacture of 14 carat jewellery. Thus, there is no need for apprehension that traditional skills will be lost. But if there is a surplus of working population among goldsmiths, it is but natural that other avenues of employment should be found for them.

Reference has been made to the high cost of enforcement of the provisions of the Bill. Certain members have stated that a huge amount of Rs. 28,84,000 is being spent "on the cadre of a new class of officers" which is going to be created for popularising 14 carat jewellery. This is obviously based on a misunderstanding of the provisions. As will be evident from the financial statement attached to the Bill, the expenditure of Rs. 28,84,000 includes the staff employed for the rehabilitation of goldsmiths as well as the enforcement staff. It is not proposed to create any cadre of officers for popularising 14 carat jewellery. Any restrictive legislation will call for administrative expenses. Having regard to the vital stakes, the enforcement cost is indeed extremely reasonable. The estimated expenditure on rehabilitation of goldsmiths, the bulk of which consists of recoverable loans, is in the nature of a productive investment. Highly exaggerated figures of alleged loss of income-tax revenues have been mentioned by some members. Government do not consider that there will be any appreciable loss at all.

Some of the Hon'ble Members have objected to the powers conferred on the Gold Control Administrator. It may be pointed out that these powers are nothing extraordinary and are the minimum necessary for enforcement of the provisions. There is no question of these powers being exercised arbitrarily because there are remedies of appeals, revisions and other legal means always open to the aggrieved party.

Shri Masani has objected to the very principle of the Bill. His point is that people would invest their savings in assets other than gold if adequate incentives, sense of security etc., are provided. He has referred to the threat of nationalisation network of controls and "Vindictiveness often underlying Government's policy towards people's enterprises". Whatever may be one's view in regard to these and Shri Masani has certainly distorted the picture by over-stating his case—no one can deny that the sort of security which Shri Masani is looking for is available in investment in small savings scheme. If an individual had invested his savings, say, in the 12-year National Savings Certificates in 1950, he would have got, for every Rs. 100 of investment, Rs. 150 by 1962. If he reinvested this sum in the 12-year National Plan Certificates, he would get Rs. 247 by 1974. Even

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if he encashes his certificates now, his original investment of 1950 would have grown to about Rs. 160·00 by 1964. Over the period 1950 to 1962, gold prices have increased from Rs. 97·70 to Rs. 119·59 for 10 grammes—an increase of hardly 22 per cent, and if 1964 prices are taken, the increase is, lower, being only 18 per cent. as against 50 per cent. or 60 per cent. increase respectively by investment in small savings. It is clear, therefore, that investment in gold does not yield as attractive a return as is available from small savings schemes, the return from which has moreover been tax free. The annual return and the capital appreciation of the original investment would be even higher if an individual had chosen to invest in some of the growing industries of India.

The fact of the matter is that those who choose to invest in gold in a big way are not interested in obtaining return on their investment, but to hide their wealth. One hopes it is not Shri Masani's plea that these individuals should be given free reign to conceal their ill-gotten gains in gold by permitting imports of gold.

One agrees with Shri Masani that it is necessary to take strong measures to right inflation. The entire progress of the economy depends on maintaining a reasonable stability of prices, and Government have been taking, and will in future take, suitable steps to check inflation. It is difficult, however, to agree with Shri Masani that this requires giving up, or postponing development of industries—including heavy industries.

The suggestion that we should import gold is clearly impracticable. Equally, there cannot be any question of our continuing to depend on imported machinery. While price stability is an objective in itself we also must balance our external accounts and there is no prospect of doing so unless we invest enough now in machine making instead of frittering away foreign exchange in importing gold.

Shri Masani has also alleged that the Bill seeks to create a near monopoly in gold in the hands of Government and it will make people feel that the Government which gives them such sermons about the uselessness of gold is itself trying to lay its hand on all the gold in the country. I do not know how he has come to the conclusion that Government intends to have a monopoly in Gold. The Bill does not at all make any provision for taking over private holdings of gold ornaments. People have the fullest freedom to hold on to whatever ornaments as well as bullion they may have and the only condition is that in so far as bullion is concerned they should have made the prescribed declaration if the quantity owned by them exceeded a certain limit. There is no provision in the Bill for the expropriation or the taking over of gold from private individuals.

Another point raised by Shri Masani is that during the 15 months of the operation of the Gold Control Rules, there has been no evidence that the lure of gold has diminished or that the gap between the indigenous and world price has narrowed or that smuggling has decreased. I may, however, mention for the information of the House that there are indications that the demand for gold has fallen. The number of dealers and refiners in gold has come down from about 27,000 in the pre-control days to about 12,000 at present. A recent survey has shown that the turnover of dealers is considerably less than that in the pre-control days. The quantity of gold used for industrial purposes has been brought down to about 50 per cent. of that prior to the imposition of gold control. Another fact that has acted as a disincentive for the demand for gold is that scheduled banks. loans against security of gold has dropped from the level of Rs. 42 crores in October 1962 to about Rs. 16 crores

in September, 1963, and is being maintained at the level of Rs. 17 to 18 crores since then. On the price front also, some success has been achieved. While in former years, gold prices in India used to rise by about 4-5 per cent. per annum, after the introduction of gold control, prices have been ruling almost consistently at lower levels as compared to the levels of 1962. Although there was an up-ward trend in prices in April—August, 1964, the maximum reached even during this period was only Rs. 126·71 per 10 grams of 24 carat gold compared to the price of Rs. 129·90 in August, 1962. Subsequent to August, 1964, there has been a drop in prices and the current quotations are of the order of Rs. 112. The fact that the price level of gold is still lower than that of 1962 is particularly significant because the intervening period of two years has witnessed a nearly 20 per cent rise in the price level in general and about 25 per cent rise in food article prices in particular. However, in so far as smuggling is concerned, it is too early to draw definite conclusions. Nevertheless, the provisions of the Bill, which seek to impose an absolute ban on transactions in primary gold between private individuals and requires proper accounting of the gold already held, coupled with the intended reduction in the overall demand, is a step in the direction of putting down smuggling.

In certain minutes of dissent, reference has been made to the need for rehabilitation of goldsmiths. Government are fully alive to the problem. In representations made on behalf of goldsmiths, the magnitude of the problem has been vastly exaggerated by giving inflated figures of the number of goldsmiths in the country. According to the 1961 census, there were some 4,51,000 goldsmiths, silversmiths, gold dealers and others associated with the profession of gold, silver and precious stones in the country. It is only the goldsmiths and not silversmiths that have been affected by Gold Control. Separate figures of goldsmiths were not available. With the concessions announced in Parliament on the 21st September, 1963, to assist goldsmiths, it has been possible to make some estimate regarding their number. They now either continue in the profession or have sought rehabilitation assistance. From these applications, it appears that the total number of goldsmiths are in the neighbourhood of 2,70,000.

About 2,15,000 have applied for certificates to work as self-employed goldsmiths and are carrying on their business. They are also eligible to seek rehabilitation assistance. The scheme of rehabilitation is very comprehensive and covers various spheres. It makes provision for educational assistance to children of goldsmiths on the same lines as members of backward communities. Technical training facilities are made available to children of goldsmiths as well as to the younger generation of goldsmiths. While the expenditure on educational assistance is met by the Centre wholly as a grant, that on training is shared between the Centre and the States in the ratio of 60:40. To enable goldsmiths to take up other professions, they have been accorded priority in getting employment in services and also relaxation in age limit, educational qualifications etc., to the extent possible. Loan assistance has been provided for settlement in agriculture, industry and other productive purposes. Loans for comparatively smaller amounts can be taken, without security, on personal bonds. The terms are extremely liberal in various ways—the period of repayment is spread over 10 years and the rate of interest varies from $2\frac{1}{2}$ per cent for co-operative industrial undertakings to 3 per cent for individuals setting up industries and 4 per cent for other purposes. The Centre has agreed to meet 50 per cent of the loss on account of non-recovery and also administrative expenditure upto $1\frac{1}{2}$ per cent. So far, a total sum of Rs. 6·5 crores has been advanced as loans to State Governments. The State Governments in turn have made advances amounting to over Rs. 4

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crores benefiting over 35,000 goldsmiths. Other measures for alternative employment, fair price shops etc. have rehabilitated over 18,500. Altogether, nearly 55,000 goldsmiths, or about 20 per cent of those affected, have been rehabilitated so far.

15 hrs.

The Joint Committee has made several improvements in the Bill. Certified goldsmiths had an apprehension that they would not be entitled to manufacture ornaments of lower purity but had to confine their activities to higher purity ornaments only. It has now been made absolutely clear that they could accept ornaments of any purity for remaking ornaments. The original provision for stamping of primary gold was considered too onerous. Accordingly, this obligation has been withdrawn from private individuals who occasionally sell one or two pieces. Under the provisions of the Defence of India Rules, goldsmiths could apply for the issue of certificates only upto the 31st March, 1964. To meet exceptional cases, the Administrator has now been empowered to accept fresh applications for the issue of certificates. While facilities for re-making of new ornaments from old ornaments given to the goldsmiths will continue, it has now been provided that the Central Government may prescribe, if and when it considers necessary, limits on the weight and purity of the new ornaments so manufactured. The provisions relating to places of public religious worship have been amended to make it clear that there will be no restriction as to the purity or form of gold which they may receive as offering. There was some apprehension about the scope of the enabling provision for calling for declaration of ornaments. This clause has now been amended to exempt a person or family from making a declaration as to the gold ornaments owned by such person or family if in the case of an individual the value of such ornaments does not exceed Rs. 25,000 and in the case of a family Rs. 50,000. The provisions relating to adjudication have been elaborated in order to ensure full compliance with the requirements of natural justice, namely, issue of show-cause notice, grant of reasonable opportunity for personal hearing etc. The clause relating to penalty has been amended so as to confer on Courts the power to award punishment of imprisonment for a period less than the minimum period of six months, if for special and adequate reasons to be recorded the Courts consider it necessary to do so.

It has been suggested that the form of accounts at present prescribed for goldsmiths should be simplified. It has also been suggested that the present limit of 100 grammes of primary gold with which a goldsmith can work at a time in the manufacture of ornaments, should be raised in order to facilitate the re-manufacture of ornaments from old ornaments given to the goldsmiths. Another suggestion has been made that people who have small quantities of primary gold which are below the limits prescribed for a declaration may have easier facilities for the sale or hypothecation of that gold.

I have considered these suggestions and am prepared to accept them. I will be moving formal amendments wherever necessary.

I need hardly emphasise the extent of havoc which smuggling can do to the economy of the country, particularly in a period of development, when we require all our foreign exchange resources for nation building activities. Shri Masani has suggested that a certain amount of gold should be allowed to be imported into the country to meet indigenous needs. I am sure the House will realise the impracticability of this suggestion. When we are seeking loans and other assistance from friendly countries and

international organisations to import the most essential goods, the diversion of any of our foreign exchange resources for the import of gold is bound to have an adverse reaction in international circles and thus endanger our developmental efforts. In this context, it is vital that gold smuggling should be combated on all fronts. We must also greatly reduce the use of gold for non-essential purposes, including ornament making. The ban on the import of gold, on the one hand and absence of control on transactions in and use of gold within the country on the other will be self-contradictory. It is for this purpose that gold control has been designed.

Mr. Deputy-Speaker: Motion moved:

> "That the Bill to provide, in the economic and financial interests of the community, for the control of the production, supply, distribution, use and possession of, and business in, gold and ornaments and other articles of gold and for matters connected therewith, as reported by the Joint Committee, be taken into consideration."

Shri S. M. Banerjee (Kanpur): Sir, I rise to a point of order. I would request you, Sir, to see Rule 307(1), (2) and (3) of the Rules of Procedure. I would like to remind this House that there are two petitions, one presented by me signed by about a crore of goldsmiths and other people supporting their demand, and another presented by Shri Surendranath Dwivedy on a subsequent date. Now, taking into account the fact that the Committee on Petitions is seized of the matter, I am relying on Rule 307(1) and (3). It says:

> "(1) The Committee shall examine every petition referred to it, and if the petition complies with these rules, the Committee may direct that it be circulated."

It was circulated and I have no grouse on that account. Rule 307(3) says:

> "It shall also be the duty of the Committee to report to the House on specific complaints made in the petition referred to it after taking such evidence as it deems fit and to suggest remedial measures either in a concrete form applicable to the case under review or to prevent such cases in future."

Sir, I rely on the observations made by the then Speaker, Shri Ananthasayanam Ayyangar. You remember, Sir, that on 6th May 1963 when this House was going to discuss the Report of the Vivian Bose Commission a point of order was raised by my hon. friend, Shri Sonavane. He also relied on this rule. He said:

> "Sir, I rise to a point of order. A petition has been presented to the Committee on Petitions by Shri Shanti Prasad Jain, and it was circulated to us on the 4th of this month. I would like, in this connection, to invite your attention to sub-rule (3) of rule 307 of the Rules of Procedure which says:...."

Then then hon. Speaker, on this point of order, observed:

> "This is only limited to the specific complaints that are made in certain individual cases whether they have to go into that. There is already the Report of the Commission before us. That is to be discussed. In relation to the observations made by that Commission, the petition had laid its own point of view. Therefore, it is not necessary in this case for the committee to make any enquiry, go into everything and then make a separate recommendation."

Then the discussion was allowed. Then he said:

> "It is only for those specific petitions that relate to any indivi-

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dual matters or when any particular individual sends any grievance that he has that the committee goes into that. Therefore, I cannot agree with him. We will start with the discussion."

This petition is a specific petition demanding that the Gold Control Bill should be dropped. That was a discussion on a Report. Nothing was going to be enacted then. No decision was going to be taken. Here the petition is specific. Both the petitions says:

"The petitioners pray that the Gold Control Bill, 1963 as reported by the Joint Committee be dropped."

I am expecting another petition tomorrow. So the then Speaker said that it is only for these specific petitions that relate to any individual matter or when any particular individual sends any grievance that he has that the committee goes into that. This is a specific petition making a specific prayer. I therefore plead that this cannot be discussed and I beg to move that this should be deferred to the next session.

Mr. Deputy-Speaker: Rules 306 and 307 refer to the Committee on Petitions and not to Bills. That Committee can take any action it likes, but we are governed by the provisions concerning Bills. The Bill has come back from the Joint Committee and it has to be taken into consideration. There is no point of order.

Shri S. M. Banerjee: I am not talking of the petition. What is the prayer in the petitions? The prayer is about the Gold Control Bill.

Mr. Deputy-Speaker: Have you any authority to show that when a petition is made to the Committee on Petitions regarding a Bill that Bill cannot be proceeded with? If you can show me that authority I will consider it.

Shri S. M. Banerjee: My point is this. There are two specific petitions on this Gold Control Bill as reported by the Joint Committee. Even when this was referred to the Joint Committee.....

Mr. Deputy-Speaker: I want to know if there is any decision that a Bill which has gone to a Select Committee or a Bill that is before the House cannot be proceeded with if any question about that has been referred to the Committee on Petitions.

Shri S. M. Banerjee: I rely on Rule 307 and I am relying on the observations of the hon. Speaker, Shri Ayyangar.

Mr. Deputy-Speaker: Is it regarding a Bill?

Shri S. M. Banerjee: Regarding a discussion. He said that it was a discussion on a Report and therefore the discussion could go on. That was not a specific thing. Now the Gold Control Bill as reported by the Joint Committee is under discussion. My submission is that there are two petitions accepted by this House and circulated to all Members. According to Rule 307(3) proper action should be taken on them.

Mr. Deputy-Speaker: Proper action should be taken by the Committee on Petitions. They are free to take any action.

Shri S. M. Banerjee: Then the whole matter is defeated. I want your ruling on this. There is no precedent, but is not this House capable of creating precedents? If not, I move that this discussion may be postponed.

Shri Nambiar (Tiruchirapalli): Sir, I want to make one submission. If after some time the Committee on Petitions makes a recommendation, by that time the Bill would have been passed, it would have become an Act

and proceedings would have gone on under the Act. Thereby the whole purpose of the petition signed by more than a crore of people would be defeated. The point is whether this discussion cannot be postponed till the next session so that proper action could be taken by the Committee on Petitions. Then the advice of that Committee will also be available to the House and this House can consider the Bill in the light of their recommendations. That will help us to consider the Bill in all its aspects after the receipt of the report of that Committee.

Shri P. R. Patel (Patan): Mr. Deputy-Speaker, before you give your ruling, I want to submit that two petitions have been presented to the House and they have been referred to the Petitions Committee. The Petitions Committee has to consider them and then report to the House. Suppose the Petitions Committee comes to the conclusion that the Bill should be dropped, what would be the position? So, my submission is that the Petitions Committee must be asked to finish its work as early as possible and then we should consider this Bill. Otherwise, a difficulty may arise. When the matter is seized by the Petitions Committee, it will have to give thought to it; if in the meanwhile we consider the Bill and pass it, what will be the functions of the Petitions Committee? And how can its report be given effect to if we have passed the Bill and then its report comes that the Bill should be dropped. So, the matter is not so simple as that and we have to give serious consideration to it.

Shri T. T. Krishnamachari: It is an extremely novel suggestion for postponing the consideration of a Bill. In February I shall be moving the Finance Bill; I hope to do so anyway. If I do so, if some petition that the Finance Bill should be dropped could be referred to the Committee on Petitions, according to this reason, the Finance Bill cannot be considered until the Petitions Committee has given its report on that petition. If the hon. Member feels that we should not consider this Bill, it is open to him and the other hon. Members to vote it down and then the Bill will be dropped. What the hon. Member has referred to about a petition is a different matter. On a reference that has been made to the consideration of a report on which no action was to be taken, except mere consideration, maybe that certain additional facts are going to be submitted to the House and they should consider them; maybe that the hon. Speaker had that in mind. But I have never heard in the history of parliamentary democracy that a Bill which had the approval of the House for the purpose of consideration by the Joint Committee should not be reconsidered by the House merely because some petition has been referred to the Petitions Committee and some decision has to be taken on those petitions by the Petitions Committee, which is subordinate to the House. I think the whole objection is frivolous.

Shri S. M. Banerjee: The heavens are not going to fall if you postpone the consideration of the Bill.

Shri Gauri Shankar Kakkar (Fatehpur): Mr. Deputy-Speaker, I have to make certain observations on the point of order raised by Shri Banerjee. In accordance with rule 307 of the Rules of Procedure certain privileges and powers are given to the Petitions Committee. Now, two petitions have been received by us, which have been referred to the Petitions Committee and which are being scrutinised by that Committee. If we now proceed with the present legislation it will mean that we are negativing or ignoring the privileges which have been given to the Petitions Committee. It will also mean a negation of the democratic set-up. Certain privileges are given to the various parliamentary committees and they are as good as the privileges of the House.

Mr. Deputy-Speaker: Could he quote a precedent where the con-

[Mr. Deputy-Speaker]

sideration of a Bill could not be proceeded with because a petition had been presented to the Petitions Committee and the report of the Committee was awaited?

Shri Gauri Shankar Kakkar: I say that this is a mandatory provision by which certain powers and privileges are given to the Petitions Committee. Suppose we proceed with the Bill here and now and the Committee afterwards comes with a report that the Bill should be withdrawn, what will be the effect of the report of the Committee? If we proceed with this legislation now it will mean that we are negativing the powers and privileges given to the Petitions Committee.

Shri Sivamurthi Swamy (Koppal): The Petitions Committee has been constituted by this sovereign Parliament and this matter has been seized of by that Committee in the form of two petitions. Here we must remember that in the history of Parliament this is the first time when more than one crore of people, the voters on whose consent we are here in this sovereign Parliament, have signed a petition and submitted it to Parliament. So, we have to view this problem from that context. It is not merely one crore of people. If the Petitions Committee takes the trouble of inviting the witnesses to give evidence, it will find that the Bill is opposed not only by one crore of people but by many times that number. Perhaps, except the Finance Minister, nobody likes this Bill. Therefore, Sir, I would request you to consider this point from that larger point of view and give your ruling. Unfortunately, under our parliamentary system, though there is direct representation there is no provision for recall from Parliament. If that power is given to the voters, I have no doubt that the hon. Finance Minister will be the first person to be recalled from this House.

Shri Kapur Singh (Ludhiana): I am inclined to agree with the contention which has been raised by my hon. friend, Shri Banerjee, for the reasons which have been explained here by hon. Members of the House. I am persuaded that if we proceed with this Bill now, while at the same time the petitions are under the consideration of the Members of this House in the Petitions Committee, it would be tantamount to reducing the provisions and procedures relating to petitions to a mockery. The only argument which has been advanced against it by my hon. friend, the Finance Minister, if I have understood him correctly—I say that with a great deal of hesitation, knowing his views about the intellectual capacity of the people from the North—the only argument which he has advanced against the point of order raised by Shri Banerjee is, because it is easy to procure petitions of this kind, therefore, they need not be taken too seriously. If one were to counter this argument by saying that it is easy for the Treasury Benches, or for the hon. Finance Minister, to have a Bill drafted, have it introduced here and passed in Parliament by the sheer force of the brute majority of his party, would that be a valid argument? So, his own argument against the validity of the objection or the seriousness of the objection against consideration to which it is entitled, is not an argument which requires any serious consideration. With these words, I support Shri Banerjee.

Shri Sinhasan Singh (Gorakhpur): After hearing the hon. Finance Minister, I think two points arise. Sir, you were pleased to ask the hon. Member to quote any precedent in support of his contention. The occasion envisaged by the point of order is one for which there cannot be any precedent. Here what is the position? A Bill has been referred to the Joint Committee by this august House. The Joint Committee has referred it back to the House after making some changes. On that very Bill, certain petitions have been presented to this very House, this very sovereign House—no

other House—for consideration. Now, there are two ways open to the House. The House could outright reject or accept the petition or refer it to the Petitions Committee. In this case, the House referred the petitions to the Petitions Committee. There are two Committees in the picture—a Select Committee and the Petitions Committee. One Committee, the Select Committee, has recommended the consideration of the Bill. The other Committee, the Petitions Committee is yet to make its recommendation. Of course, this House is, as the hon. Finance Minister stated, sovereign and it can accept or reject anything. But this House has not rejected those petitions. They have been referred to the Petitions Committee, whose report is awaited. And those petitions relate to no other matter but this very matter. So, if we now go ahead with the consideration of the Bill, it would amount to prejudging the report or recommendation of that Committee. This House can abolish that Committee today. This House can pass a resolution on the motion of the hon. Minister that this Committee may be abolished. This House is sovereign and it can consider this way or that way. He is not moving a motion that the matters referred to the Petitions Committee be withdrawn and sent back as not considered. Unless he takes that position, this can't be done. That question being there, the only course open for this House is this. Under section 10 of the Civil Procedure Code, when the matter is technically referred to the court, the other matter will be stayed. This matter has come later. So, it must be stayed under general provisions of law of the Civil Procedure Code. If one view is taken by the House that the matter is referred to the Petitions Committee for its consideration, the other matter must be automatically stayed. There is no question about that. We can hurry up that matter. We can ask this Committee to report very early. The Committee may report this way or that way. The House may reject it or accept it. If the House accepts the recommendation that it be dropped, then no consideration arises on this Gold Control Bill. That is my submission. There may not be an earlier precedent like that but we have to create this precedent here.

Mr. Deputy-Speaker: Dr. Aney.

The Minister of Rehabilitation (Shri Tyagi): May I also make a submission on this question?

An hon. Member: It is not a matter of rehabilitation. (*Interruption*).

Dr. M. S. Aney (Nagpur): Sir, the Petitions Committee has come into existence on account of this sovereign body. Under the Constitution itself, the appointment of this Committee is obligatory. When the Constitution provides that a certain committee should be appointed and the House has acted upon that advice, it becomes the duty of the House to see that that committee does the work which has been entrusted to it.

Shri Nambiar: And wait.

Dr. M. S. Aney: This has been referred to the Petitions Committee. It is under consideration there. The Speaker represents the House. He referred it to the Committee and it means that this House has referred that petition to that Committee. Having taken that stand, it is a matter of equity, fairness and constitutional propriety that this House ought to wait for the report of the Committee. It is also open to the House not to accept that report for consideration. The only question is whether the body that you have created and created for a purpose is allowed to function properly or not. If you do not do that, I think, it is a serious matter.

Shri Narendra Singh Mahida (Anand): I propose that the Petitions Committee should meet tomorrow and till then this debate may be postponed. (*Interruptions*).

Mr. Deputy-Speaker: Order, order. I have heard all the Members. I have heard the arguments they have put forward. I learn there are no petitions pending before the House Com-

[Mr. Deputy-Speaker]

mittee. The two petitions referred to have been considered by the Committee and they have been circulated.

Shri S. M. Banerjee: No, Sir. I have got it here. Kindly hear me.

Mr. Deputy-Speaker: This was circulated on the 14th December.

Shri S. M. Banerjee: I have got it. Kindly hear me.

Mr. Deputy-Speaker: Order, order. Please sit down. Even if there are any petitions pending, I hold it is no ground to postpone the consideration of a report of the Joint Committee where nearly 2 lakhs petitions were received by the Committee. None of the Members has shown any decision or ruling of the Chair that when a petition is pending before the Petitions Committee, the consideration of the Bill should be postponed. The rules regarding the consideration of the Bills are very clear and I hold that there is no point of order and the consideration of this Bill will proceed. Are you moving your amendment?

Shri S. M. Banerjee: I have a submission to make.

Mr. Deputy-Speaker: Nothing now regarding this point. I have given the ruling.

Shri S. M. Banerjee: Kindly hear me for a minute. Nothing is going to be lost.

Mr. Dputy-Speaker: You move your amendment? Yes. Shri Tan Singh.

Shri S. M. Banerjee: Yes, I move. Sir, I move:

> "That the debate on the Bill be adjourned to the next session."

I have the right to move that.

Mr. Deputy-Speaker: There is no such motion before the House.

Shri S. M. Banerjee: Sir, I can quote you a ruling. On 6th May, 1963, when Mr. Sonavane's point of order was not accepted by the House, he was allowed by the Speaker to move a motion and it was negatived.

Mr. Deputy-Speaker: There is no motion before me. Are you moving your amendment?

Shri S. M. Banerjee: I am moving the motion.

Mr. Deputy-Speaker: You must give previous notice. You cannot spring a surprise.

Shri S. M. Banerjee: I am quoting the ruling given on an earlier occasion:

> **"Mr. Speaker:** I do not think that the House agrees with it. The sense of the House is that this must be discussed in this session. He may make a motion and I will put it to the House.
>
> **Shri Sonavane:** I beg to move:
>
> 'That the debate on the Report of the Commission of Inquiry appointed to investigate into the administration of certain Dalmia-Jain Companies laid on the Table of the House on the 23rd January, 1963, be adjourned to the next session.'
>
> **Mr. Speaker:** The question is:
>
> 'That the debate on the Report of the Commission of Inquiry appointed to investigate into the administration of certain Dalmia-Jain Companies laid on the Table of the House on the 23rd January, 1963, be adjourned to the next session.'
>
> The motion was negatived."

There is a precedent."

Mr. Deputy-Speaker: It is not regarding a Bill?

Shri S. M. Banerjee: There is a precedent in this House. I should not be deprived of my pivilege.

Mr. Deputy-Speaker: Is it regarding the Bill?

Shri S. M. Banerjee: I have the right to do it. Let them vote it down.

Shri Gauri Shankar Kakkar: It has no different character. When the Bill is introduced, it is a motion.

Mr. Deputy-Speaker: This is the ruling on a motion for adjournment of the debate. Here we have to take up the consideration of the report of the Joint Committee.

Shri S. M. Banerjee: Perhaps, nobody has gone through the whole thing. Kindly hear me. Nothing is going to be lost. My point is only this. I know there is a division inside the Cabinet also. That is the whole thing. I have relied on Rule 307. You said that the petition has been circulated. I know it has been circulated. I have relied not only on Rule 307(1) but also on 307(3). It says:

> "It shall also be the duty of the Committee to report to the House on specific complaints made in the petition referred to it...."

Mr. Deputy-Speaker: That is over. You need not go into that. You come to the motion to adjourn the debate. I have given the ruling on that.

Shri S. M. Banerjee: Sir, I have lost my mother. I have specially come for this. Kindly hear me....

Mr. Deputy-Speaker: I have read it in the news. I am very sorry for that. Please accept my sincere condolences.

Shri S. M. Banerjee: Kindly hear me. You are relying only on Rule 307(1) which says:

> "The Committee shall examine every petition referred to it, and if the petition complies with these rules, the Committee may direct that it be circulated...."

It has been done. I have no grouse against that. But what about 307(3)? About the ruling that I quoted, the point was whether the Vivian Bose Commission's report should be considered or not.

Mr. Deputy-Speaker: Are you discussing my ruling or this ruling?

Shri S. M. Banerjee: You wanted a specific ruling on that. I have quoted that ruling.

Mr. Deputy-Speaker: This is about the motion for the adjournment of debate. Are you not moving your amendment? First you move that and then ask for the adjournment of the debate.

Shri S. M. Banerjee: Sir, I move:

> "That the Bill, as reported by the Joint Committee, be circulated for the purpose of eliciting opinion thereon by the 1st February, 1965." (70).

Mr. Deputy-Speaker: Then you move for the adjournment of the debate.

Shri S. M. Banerjee: Sir, I move:

> "That the debate on the Bill be adjourned to the next session."

Mr. Deputy-Speaker: Motion moved:

> "That the debate on the Bill be adjourned to the next session."

Let the Lobbies be cleared.

The Lok Sabha divided:

Division No 11.] **AYES** **[15.43 hrs.**

Alvares, Shri	Dasaratha Deb, Shri	Mahida, Shri Narendra Singh
Aney, Dr .M. S.	Dwivedy, Shri Surendranath	Manoharan, Shri
Banerjee, Shri S. M.	Gupta, Shri Kashi Ram	Masani, Shri M. R.
Berwa, Shri Onkar Lal	Himmatsinhji, Shri	Murmu, Shri Sarkar
Bhattacharya, Shri Dinen	Kachhavaiya, Shri Hukam Chand	Nambiar, Shri
Bhawani, Shri Lakhmu	Kapur Singh, Shri	Ramabadran, Shri
Biren Dutta, Shri	Krishnapal Singh, Shri	Reddy, Shri Narasimha
Dandeker, Shri N.	Kunhan, Shri P.	Roy, Dr. Saradish

Sezhiyan, Shri
Siddhanti, Shri Jagdev Singh
Sivasankaran, Shri
Solanki, Shri
Swamy, Shri M. N.
Swamy, Shri Sivamurthi
Venkaiah, Shri Kolla
Yashpal Singh, Shri

NOES

Alva, Shri A. S.
Babunath Singh, Shri
Bajaj, Shri Kamalnayan
Bal Krishna Singh, Shri
Balakrishnan, Shri
Balmiki, Shri
Basumatari, Shri
Besra, Shri
Bhanu Prakash Singh, Shri
Bhattacharyya, Shri C. K.
Borooah, Shri P. C.
Brajeshwar Prasad, Shri
Brij Raj Singh-Kotah, Shri
Chaturvedi, Shri S. N.
Chaudhry, Shri Chandramani Lal
Chuni Lal, Shri
Daljit Singh, Shri
Dorai, Shri Kasinatha
Dubey, Shri R. G.
Gandhi, Shri V. B.
Hanumanthaiya, Shri
Harvani, Shri Ansar
Himatsingka, Shri
Jamunadevi, Shrimati
Keishing, Shri Rishang
Koujalgi, Shri H. V.
Krishnamachari, Shri T. T.
Lakhan Das, Shri
Lakshmikanthamma, Shrimati
Lalit Sen, Shri
Mahishi, Shrimati Sarojini
Marandi, Shri
Maruthiah, Shri
Mishra, Shri Bibhuti
Mishra, Shri Mahesh Dutta
More, Shri S. S.
Mukerjee, Shrimati Sharda
Musafir, Shri G. S.
Naik, Shri D. J.
Oza, Shri
Pandey, Shri R.S.
Panna Lal, Shri
Paramasivan, Shri
Patel, Shri Chhotubhai
Patel, Shri N. N.
Patel , Shri Rajeshwar
Prabhakar, Shri Naval
Puri, Shri D. D.
Rai, Shrimati Sahodrabai
Rajdeo Singh, Shri
Raju, Dr. D. S.
Raju, Shri D. B.
Ram Sewak, Shri
Ram Swarup, Shri
Ramanathan Chettiar, Shri R.
Rane, Shri
Rao, Shri Muthyal
Rao, Shri Rajagopala
Rao, Shri Ramapathi
Roy, Shri Bishwanath
Sadhu Ram, Shri
Sahu, Shri Rameshwar
Samanta, Shri S. C.
Sanji Rupji, Shri
Saraf, Shri Sham Lal
Sarma, Shri A. T.
Satyabhama Devi, Shrimati
Sen, Shri P. G.
Shakuntala Devi, Shrimati
Sharma, Shri D. C.
Sharma, Shri K. C.
Shashi Ranjan, Shri
Shastri, Shri Ramanand
Shree Narayan Das, Shri
Siddananjappa, Shri
Singh, Shri D. N.
Singh, Shri, K. K.
Singh, Shri R. P.
Soy, Shri H. C.
Subbaraman, Shri
Sumat Prasad, Shri
Sunder Lal, Shri
Swamy, Shri M. P.
Tantia, Shri Rameshwar
Tiwary, Shri D. N.
Tiwary, Shri K. N.
Tiwary, Shri R. S.
Uikey, Shri
Veerappa, Shri
Venkatasubbaiah, Shri P.
Vyas, Shri Radhelal
Wasnik, Shri Balkrishna
Yadava, Shri B. P.

श्री लहटन चौधरी (सहरसा) : मुझे सीट एलाट नहीं हुई है । मैं "नो" के पक्ष में हूं ।

Shri Tyagi: I have voted from a wrong seat.

Shri Gauri Shankar Kakkar: I want to vote for 'Ayes'.

Mr. Deputy-Speaker: In the case of Shri Lahtan Chaudhuri, his vote will be added to the 'Noes', beacuse he was sworn in only today, and he has not been allotted any seat yet. In the case of the others, their observations will be recorded:

The result of the division is as follows:

Ayes: 32; Noes: 93

The motion was negatived.

Shri Solanki (Kaira): Shame!

Mr. Deputy-Speaker: 6 hours is the time allotted for the discussion of this Bill. We have to fix some time for the consideration stage and some time for the clause-by-clause consideration also because there are a number of amendments.

Shri Nambiar: There are about 200 amendments and there are about 43 clauses. Therefore, 6 hours may not be sufficient.

श्री ओंकार लाल बेरवा (कोटा): दस घंट होने चाहिये ।

Shri Nambiar: We discussed this point also in the Business Advisory Committee and said that the time allotted was not sufficient. And the

Hon. Speaker said that we could consider the matter.

Shri Kapur Singh: I submit that more time may be allotted, so that we can go into the matter carefully.

Mr. Depuy-Speaker: Just now, we shall have 4 hours for the general discussion and 2 hours for the other stages. As we proceed, we shall see.

Shri Yashpal Singh: What about the time for amendments?

Mr. Deputy-Speaker: We shall have 4 hours for the consideration stage and 2 hours for the amendments.

Shri M. R. Masani (Rajkot): The discussion that has just concluded on the point of order and the adjournment of the debate is in a way a reflection of the strong feeling among all sections of the House against this Bill.

Many years ago, Mahatma Gandhi, talking in Wardha to Mr. Louis Fischer, the well-know author, made a remark which has been published in Mr. Fischer's book *A Week with Gandhi*. In that conversation, Mahatma Gandhi told Mr. Fischer that if he had his way, he would open the vaults of the Imperial Bank and the Reserve Bank of India to take out all the gold and distribute it among all the villages of India so that economic power which was concentrated in the hands of the Government, could be decentralised and distributed in the hands of the people.

Shri Tyagi: That meant socialism.

Shri M. R. Masani: This Bill is the exact negation of Mahatma Gandhi's wish and advice. This Bill seeks to take away all the gold in the hands of the people and concentrate it in the hands of the Reserve Bank and the State Bank of India. This is the climax to the betrayal of Mahatma Gandhi by those who seek to thrive in his name and mislead the people in his name.

This Bill, I repeat, seeks to create a near-monopoly of the possession of gold in the hands of Government. The Finance Minister asked a few minutes ago what was so wrong with it, and why I objected to it. I object because I am opposed to all monopoly, whether in the hands of private people or of Government. That, I thought, was the reason for the appointment of the Monopolies Commission by this Government, which we welcomed, but it is quite clear from this Bill that, far from being anti-monopoly, this is a Government of monopolists, who seek to monopolise the possession of gold and the political and economic power that it gives.

But before I proceed to this aspect, let me draw, for five minutes, the attention of the House to certain features of the Bill which have not much relation to its main object and which are highly objectionable in themselves. It has been for me a matter of disappointment that the Joint Committee could not at least get these evils out of this measure.

The first of these is the inclusion of the declaration of ornaments. This is a new threat, particularly to the women of India. Shri Morarji Desai had given a solemn assurance that gold control would never apply to ornaments. That was only eighteen months ago but, as is the practice of this Government, the assurances are not worth the paper on which they are written. Cynically those assurances are made and cynically they are broken, and today this House is being asked to start putting its fingers on the ornaments of our women. It is true that they are not being confiscated straightway. But the quantum of ornaments and their value have to be listed.

15·47 hrs.

[DR. SAROJINI MAHISHI *in the Chair*]

Can there be any doubt that within a little period of time, this same government, if it survives that long, will

[Shri M. R. Masani]

come and say. 'Now, we place a ceiling on ornaments, and all ornaments over that ceiling should be handed over to Government for nominal compensation'? Has that not happened to the land of our people? A Government that can do this with the land of the people will have no compunction, in its avarice and greed, in laying its hands on the jewellery of our women.

Then, there is quality control. I do not wish to take the time of the House on this. It will no doubt be taken up tomorrow on the amendments. But I would advise the House to read two very good Minutes of Dissent which have been appended to the Report of the Joint Committee. One is by Shri Chandak and half a dozen Members of the ruling party pointing out that quality control or the restriction of 14 carat is completely unnecessary for the purpose of the Bill itself. And the other is another cognet Minute by my hon. friend, Shri Tridib Kumar Chaudhuri, the revolutionary socialist, who also points out that this 14 carat resolution is utterly meaningless and unhelpful to the objective of the Bill.

Then there is the attempt to accentuate class was among those concerned with gold. In typical communist fashion, attempts are made to set the so-called certified goldsmiths against the other dealers. An attempt to drive a wedge between the victims of this Bill is sought to be made. I was very glad to see in the Joint Committee that that attempt had failed, and that goldsmiths and dealers stood side by side refusing to be separated like this, equally unanimously demanding the withdrawal of this wicked measure.

Then there is the attempt to say that you must not carry on business in gold and moneylending operations in the same office.

And finally, there is the objectionable proviso that no appeals to the courts of law can be made against any order passed by the Administrator under this Bill. We have talked long in the days of pre-independence about the separation of the judiciary from the executive, but under this Bill the power to adjudicate and the power to administer are in the same hands, and there will be no appeal to the courts of law or justice. I hope these aspects will be carefully considered by the House tomorrow.

Now, I come to the main point of my speech, and that is to oppose this Bill root and branch. This is a misconceived measure. It is a measure altogether uncalled for by the economic situation in the country. Dr. L. M. Singhvi, in his Minute of Dissent, has pointed out how this Bill is against the total weight of evidence led before the Joint Committee. Hundreds of memoranda were presented to the Joint Committee, but he points out that except for Mr. Khera and a couple had a good word to say about nobody had a good word to say about this Bill. No class of citizens came before the Joint Committee to put in one good word for this Bill. If the Joint Committee had been a free committee, I know that this Bill would have been voted down, but we know what happened in the Joint Committee. I am not free to refer to it here.

This Bill was conceived in January, 1963. Taking advantage of the Emergency and the patriotic sentiments of our people, the Finance Minister's predecessor put through the Gold Control Order. That was a bad day for India. I have an idea that, when the history of our times comes to be written, the economic history of our times, and of the collapse for which we are now heading, it will be mentioned that January, 1963, with the Gold Control Order and the Compulsory Deposit Scheme, marked the beginning of the end of our economy under this Government.

As it happens, that is an accident that gives us some advantage. When most laws are introduced in Parliament, nobody knows how they will work. In the case of this law, we have had experience of 18 months of this particular Bill already in operation under another name. The proof of the pudding is in the eating thereof. What has been the experience of the country and this House about the Gold Control which we are now trying to put permanently on our statute-book? Has gold control served its objectives? Have these objectives been achieved or even furthered?

What were the objectives, and what are the objectives of this Bill? I think on this there will be unanimity. There are three objectives of this Bill. One is to cure what is called the "lure" of gold, and to lessen the demand and stop hoarding. The second is to bring down the price of gold in India, which is twice that in the international market. And the third objective is to help in stopping smuggling. I do not think that even the Government would deny that this is a fair statement of the objectives of the Bill. I am glad my hon. friend Shri Tyagi agrees.

Then, what I want to know is the experience with regard to these three things. Has this control lessened the love of gold or the desire to have gold?

Shri Kapur Singh: No.

Shri M. R. Masani: The answer has been given. Not at all. How much gold has been surrendered to the Government under this measure? Let the Minister answer how much of the gold in India has been given over in response to this measure?

Secondly, has the price come down?

An hon. Member: No.

Shri M. R. Masani: Most definitely not. In August/September, 1964, when the Joint Committee was discussing this measure, the price of gold was higher than it had ever been. The Indian price of gold in last August/September was Rs. 145 per tola, while the international price was Rs. 63. In other words, the Indian price, after 15 months of the Gold Control Order, was more than twice the international price of gold.

A wretched little memorandum was sought to be circulated a few days ago, trying to make out some kind of case for this Bill. It was a pitiable effort, with all the resources of the Government behind it. It tried in a vague manner to suggest that the price of gold had come down somewhat since August/September. I challenge and question that statement. These gentlemen are trying to fool Parliament into believing this. As soon as the Bill is passed, it will be mentioned that the price has gone up again. The price has not gone down since August/September, and the demand for gold is as active as ever.

Finally, has smuggling stopped, has smuggling diminished?

An hon. Member: Increased.

Shri M. R. Masani: It has increased. It is true that the risks of smuggling have increased, but so have the profits of smuggling. The profit margin has widened, and we know that when the profit margin widens, there are bold and daring spirits, lawless spirits, in every part of the world, who take advantage of that profit margin and that is what they have been doing. So, neither has the price of gold gone down, nor has smuggling diminished.

If this is the poor experience of 18 months of gold control, then the country and the House will ask why Government are persisting with this measure. It is a very legitimate question. We might well ask why. I must say very plainly that, as far as I can divine, there are two motives behind this Bill.

[Shri M. R. Masani]

The first is the motive of grabbing the gold that exists in this country. The Government knows that the only valuable things left in this country are things like gold, land, foodgrains, buildings, and so on. They know the worthlessness of their own money, and they know the worth of gold. They are trying to tell the people of India that it is useless, that it is a lure. The best way of setting an example is to say: 'we do not care for your gold, you may keep it." What is the example this Government is setting to the people? When the Finance Ministry of the Government of India go and try to lay their hands on gold, they not only convince the people of this country of the worthlessness of our rupee currency, but convince them that it is wise to have gold.

Why does Government want gold? Because they want to meet their foreign obligations on which they are about to default. Having brought this country to the brink of bankruptcy, this Government now tries to grab some gold so that they can pay foreigners for what we owe them.

That is the first motive—the desire to grab gold and establish a monopoly. It is the "acquisitive instinct" at which the Finance Minister seeks to mock. If there are any acquisitive people today, they are on the Government benches and Treasury benches in this country. They are the real acquisitive people who are trying to grab everything in the hands of the people.

The second motive is to fool the people. I say that the Bill is meant to fool the people into believing that something is being done. Like Hitler, they want scapegoats for the failure of their own economic policies, and they have fastened on the poor goldsmiths of this country,....

An hon. Member: Shame.

Shri M. R. Masani: . . . just as Hitler fastened on the Jews. They are trying to cover up their failure in stopping smuggling, the inefficiency of their Customs Department, by asking us to pass this Bill.

Let me read from one of our very acute economic observers. In the *Indian Express* of 17th July this year, Shri G. R. Penkshe says:

> "More than eight months have passed since then, and the present situation is that the gold control rules are more honoured in the breach than in the observance. Despite the closure of the futures trading in gold and the ban on the sale or purchase of anything exceeding 14 carats, there is a roaring blackmarket.. —mark the words—
>
> ".... in the metal of the highest purity. The entire trade has passed from the hands of the jewellers to innumerable small shopkeepers selling a variety of odds and ends, who have discovered an underhand side business more lucrative than the ostensible 'shop-front'.
>
> They sell 'biscuits'—as bars of smuggled gold of 10 grammes each with foreign markings are called—to needy customers who are either recognised or are properly 'introduced', the terms being prior payment of cash at the rate ruling on the day. No questions are asked, and none answered.."

The writer then went on to say that: "the proposed law would be a dead letter", and "will bring neither credit to the Government nor to Parliament", if passed.

These are sapient words coming from an expert on the subject. That is why I said: since this Government is not devoid of intelligence enough to know that gold control has not worked and will not work in this

country, they are going through this mockery and farce, this act of calculated hypocricy, in asking Parliament to make itself a party to this hypocritical act.

16 hrs.

What is the basic issue, Madam Chairman, in regard to the pride of gold and the hoarding of gold? Why is the price of gold high? Why is there the demand for gold? Why is the Indian price twice that of the international market? It is not an unhealthy craving on the part of your sex, Madam Chairman, nor is it the desire to hoard gold for its own sake. The cause is that our currency has been debauched by this Government. This Government for the last ten years, as a result of its Second and Third Plans, has debased our currency until it is today what it is; the rupee is worth exactly 17 nP of the pre-war rupee of 1939-40. In every city of India, I am told, people are buying the pound sterling for Rs. 24 when the official price of the £ is Rs. 13:33. It is very interesting that in September 1963, when the gold control order of the present Minister was brought in, the pound was worth Rs. 18.7 and this control was supposed to bring down the price of the pound and raise the price of the rupee. But the rice of the pound in our black markets has gone up from Rs. 18 or Rs. 19 to Rs. 24 today. That is the abject failure of this gold control.

It is not only the price of gold that has gone up. Don't we know that other prices also have gone up? Gold has very little to do with it. Has not the price of land gone up? Has not the price of foodgrains or of cloth gone up and, as somebody pointed out the other day, has not the price of green vegetable gone up, due no doubt to the wicked hoarders, the vegetable merchants who keep green vegetables for one or two years.

Prices have gone up because the rupee has gone down, because those in possession of the Government of this country have defaulted on their primary obligation of giving us a clean and honest rupee, a rupee whose value is the same today or tomorrow or ten years from now. In other words, the problem of gold is the problem of inflation. There is no gold problem in India; there is the rupee problem in India; there is the currency problem in India; there is the monetary problem in India.

What are the causes of this inflation? They are the policies of this Government and its predecessor Government. I will just list them for lack of time.

The first is the wrong priorities of the Second and Third Plan. By showing an obsession for heavy industry, which is unremunerative and slow in returns, as our Prime Minister has belatedly learnt, by investing more in the State sector, which is a wasteful and unproductive sector, we have deliberately and cold-bloodedly created inflation in our country. Let me read one sentence from the report of the Auditor General of March, 1964. He said that there are 45 public enterprises and according to him, only ten make some profit; the remaining 35 made a loss. On a public investment of Rs. 1200 crores, our public undertakings had made a loss of Rs. 12 crores. This is the kind of wasteful investment in our Plan which is the direct cause of the gold problem which we are facing today.

Secondly, the burden of foreign indebtedness. It has been estimated that during the Fourth Plan period, we have to repay Rs. 1200 crores in foreign currency by way of instalment of capital and repayment of interest. This is where gold is wanted —to replay these obligations. Then, there is deficit financing, manufacturing of currency notes without reserves and without resources against them. Finally, there is excessive taxation of the needs of life of the poor; those excise duties which have further aggravated the rise in prices.

[Shri M. R. Masani]

It is sometimes said that the great economist, Keynes, justified some amount of inflation. It is a great injustice to that great man. I shall read a sentence from Keynes who is blamed for pro-inflationary policies to show what he would have said about those gentlemen who adorn the Treasury Benches today and their predecessors. Keynes said:

> "Debauching a currency saps the foundations of society more subtly, swiftly and permanently than any other conspiracy."

This is what the Government have done. They have debauched our currency. Having done that, they now come and stop people having gold. Only a fool would hoard rupees in this country. . .

Mr. Chairman: The hon. Member's time is up.

Shri M. R. Masani: Madam Chairman, I am the only speaker from my party and I need another ten minutes.

Mr. Chairman: Leaders of parties were given 20 minutes and I request him to conclude.

Shri M. R. Masani: I shall conclude soon. Inflation, as has been quitely rightly pointed out, is not only anti-social but anti-socialist, because it hits the poorest people most.

Acharya Kripalani sometime ago called the inflationary policies of the Government "pick-pocketing". It is because they are picking money out of the pockets when they are not looking. I would rather compare it with counterfeiting. A Government that puts in circulation notes for which it knows it does not possess reserves or resources in goods and services is a counterfeiting Government and I call this Government a Government of counterfeiters. If I counterfeit a coin, I will be sent to jail, quite rightly; so would you be, Madam Chairman, with all respect. But the Finance Minister of this country is free from the Indian Penal Code. He can go on fabricating money which is worthless money, pretending to put a rupee into our hands when he is only giving 17 nP. and he is immune from the criminal law of this country. Therefore, I say that this is a Government of counterfeiters which is taking advantage of the confidence of our illiterate people. Then the Government comes with this Bill and says: let us fight the gold menace. There is no gold menace; there is the governmental menace; there is the rupee menace in this country. A man who holds gold or land or grain is a rational human being. He is reacting in a normal, human way, an acquisitive way, if you like. But all of us are acquisitive, not excluding this Government.

What has the gold control done? It has pushed up prices of other articles higher. When control is put on gold and you cannot hold it legally, the more timid spirits turn to other things bescause they will not hoard the rupee, worthless as it is. The price of diamonds has gone up by fifty per cent since gold control has come; the price of silver has gone up; the price of land, houses, foodgrains has gone up. If today foodgrains are hoarded by the people, one cause is the gold control order.

Gold control has destroyed rural credit. It has hurt our peasants who, with their little holdings of gold, were able to get credit for seeds, for fertilizer.

Lastly, it has driven dealings underground. The same people who were dealing in gold openly, now do it underground. I mentioned earlier Mr. Ponkshe's remark that the gold trade is not carried on by gold dealers and goldsmiths but it is being carried on by cloth merchants, bidiwalas, panwalas, restaurant

keepers and "biscuitwalas". Go to Chandni Chowk here or Bhuleshwar in Bombay and see gold trade going on openly and shamelessly. I tell the Finance Minister that nothing that he does can stop this trade in the gold or hoarding of gold.

Lenin, the great communist, once boasted before the Revolution; he mocked at gold. "When we are victorious on a worldwide scale," bragged Lenin in 1921, soon after coming to power, "we will make public toilets out of gold on the streets of the world's largest cities." Lenin has gone, but gold remains, and today Soviet Russia is not building toilets out of gold. It has come on the world market to offload gold and to buy grain. In the last year they have delivered 200 million dollars worth of solid gold and by the end of this year it is estimated another 350 million dollars worth of gold will be unloaded on the market by Lenin's successors. Lenins may come and go; pinchbeck Napoleaons may come and go. I predict, Madam Chairman, long after all of us have passed away, gold will remain as it was, because gold is pure and the Government's policies are impure and filthy.

Finally, gold control has created a new bureaucracy, new forms of corruption and new expenditure, and it has lost to the public exchequer, revenue, lakhs of rupees in the way of sales-tax and income-tax which would have come to us from the earnings of honest, goldsmiths and gold dealers of this country. (*Interruption*). It is no wonder then that my revered chief, Rajaji, said a few days ago that "Congressmen are my children, but they have gone mad."?

Shri T. T. Krishnamachari: Thank God, the hon. Member does not claim that he is one of his children!

Shri M. R. Masani: There is no other description for this Bill: it is a Bill of suicidal maniacs; it is a Bill of the people who are out to destroy themselves; they want to commit suicide for the country. We shall therefore fight this Bill, inch by inch, tooth and nail. I would like to declare here, for the benefit of the poor goldsmiths and dealers of India, who are being crucified on a cross of gold by those opposite, that the moment we can do so we shall seek the repeal of this shameful law which the Government have brought forward here today.

श्री सिंहासन सिंह : सभापति महोदय, माननीय सदस्य, श्री मसानी, ने इस बिल के सम्बन्ध में बड़ा ओजपूर्ण भाषण दिया है । उन से पहले अभी सदन में वाद-विवाद उठा और डिपुटी स्पीकर के आदेश के मुताबिक अब आगे बहस शुरू हुई है ।

गोल्ड कण्ट्रोल से क्या लाभ हुआ और क्या हानि हुई, वह देश के सामने है । मैं माननीय सदस्य, श्री मसानी, की इस बात से सहमत हूं कि जिस उद्देश्य से गोल्ड कण्ट्रोल किया गया था, उसमें वह सफल नहीं हुआ, लेकिन इस असफलता के कारण क्या हैं, उस पर उन्होंने प्रकाश नहीं डाला । अगर उसका उद्देश्य यह होता कि हम स्वर्ण का राष्ट्रीयकरण कर लें और स्वर्ण राष्ट्र की सम्पत्ति हो जाये, तो शायद वह उद्देश्य सफल हो गया होता । लेकिन हम ने लोगों में धीरे-धीरे यह चेतना पैदा करने का प्रयत्न किया कि स्वर्ण की ओर से उनका मोह घटे । लेकिन मोह धीरे-धीरे नहीं हटता है । वह तो ऐसी वस्तु है, जो धीरे-धीरे हटाने से नहीं हटता है, बल्कि आगे आगे बढ़ता जाता है ।

22 केरट से 14 केरट कर देने से लोगों की सोना रखने की प्रवृत्ति हट जाये, यह सम्भव नहीं था । सोना रखने की प्रवृत्ति तब हटती, जब सोने को रखना ही अपराध घोषित होता । लेकिन वह नहीं हुआ । हम ने सोने को नीचे के स्तर पर लाकर कहा कि यह रखो, इतना रखो । गवर्नमेंट ने आदेश दिया कि सब लोग अपना स्वर्ण भंडार गवर्नमेंट को

[श्री सिंहासन सिंह]

प्रकट करें। मेरे पास इस के आंकड़े तो नहीं हैं, लेकिन मेरा ख्याल है कि आज हमारे देश में जितना स्वर्ण है, उसका दस फ़ीसदी गवर्नमेंट के सामने प्रकट नहीं हुआ है।

गोल्ड कण्ट्रोल से एक समस्या हमारे देश में खड़ी हुई कि स्वर्णकार वर्ग अपने कार्य से विरत हुआ। हमारे सामने यह समस्या आई कि इन स्वर्णकारों का क्या किया जाये। जिस वक्त स्वर्ण कण्ट्रोल किया गया, उस वक्त कई अनशन हुए, कई हंगर स्ट्राइक्स हुई और इस सदन के सामने यह प्रश्न भी आया कि बहुतों का स्वर्गवास भी हुआ, बहुतों ने इसके विरोध में प्राण-विसर्जन किया। लेकिन गवर्नमेंट ने यह कहा कि हम स्वणकारों को ये सुविधायें देंगे। इस प्रकार हमने देश के सामने एक समस्या खड़ी कर दी और एक पल्टन को, जो कि पहले अपने कार्य में लगी हुई थी, उसके कार्य से विरत कर दिया।

बाद में दूसरे अर्थ मंत्री जी आए। उन्होंने अनुभव किया कि गोल्ड कंट्रोल की पुरानी व्यवस्था में कुछ खामियां थीं और इसलिए उन्होंने उस में यह संशोधन किया कि पुराने जवरों में नये शुद्ध सोने के जेवर बनाए जा सकते हैं, ताकि स्वर्णकारों को कुछ काम मिल जाए। उनकी इस तरमीम का परिणाम यह हुआ कि सोने में और भी चोरी बढ़ गई। 22 कैरट के जेवर परिवर्तित हो सकते हैं और नये जवर 14 कैरट के बनेंगे, लेकिन 22 कैरट का जेवर दिया या 14 कैरट का जवर दिया, इन दोनों में इतना गोलमाल हुआ कि खुद स्वर्णकार कहते हैं कि इस तरमीम से हम लोगों का काम चलने लगेगा।

इस तरमीम के बाद मिनिस्टर साहब ने एनाउंस किया कि कुछ एमेंडमेंट्स आए हैं, जिन को वह स्वीकार करेंगे। मैंने उन अमेंडमेंट्स को देखा नहीं है। लेकिन उन्होंने यह आश्वासन दिया कि जो लोग स्वर्णकार का पेशा करते थे, उनको सब हूलियत दी जायेगी।

गोल्ड कंट्रोल से स्मगलिंग और बढ़ गया और सोने की कीमत भी नहीं घटी। हर रोज अख़बार में निकलता है कि 14 कैरट के सोने की कीमत यह और 22 कैरट के सोने की कीमत यह। आज इस कानून के मुताबिक हमारे देश में कोई नया 22 कैरट का शुद्ध सोना नहीं रख सकता, लेकिन उसकी कीमत भी निकलती है। अगर सरकार ऐसी व्यवस्था करती कि 22 कैरट के सोने की कीमत बाजार में न निकले, तो लोगों का प्रलोभन भी कम होता। लेकिन सरकार के आदेश के बावजूद अख़बारों में उसकी कीमत निकलती है।

14 कैरट के जेवर की कीमत लगभग 66 रुपये निकलती है।

माननीय सदस्य, श्री मसानी, ने कहा कि चूंकि वर्ल्ड मार्केट में 22 कैरट के सोने का भाव 66 रुपये है और यहां पर 14 कैरट सोने का भाव 66 रुपये है, इसलिए यह स्वाभाविक है कि तस्कर-व्यापार करने वाले इस बात के लिए प्रोत्साहित होंगे कि बाहर से 22 कैरट का सोना लाकर यहां पर उसको 14 कैरट में परिवर्तित करके उतना ही रुपया कमायें। अभी दो दिन पहले पालम हवाई अड्डे पर 15 लाख का सोना पकड़ा गया। आज अख़बार में है कि चार लाख का सोना पकड़ा गया। यह क्रम हर रोज जारी है। मुझे मालूम हुआ है कि कुछ बड़े ऊंचे व्यक्ति सोने को बाहर से लाने के व्यापार में लगे हुए थे। पुलिस में इस बारे में रिपोर्ट भी हुई, लेकिन कुछ हुआ नहीं।

मैं यह भी कहना चाहता हूं कि यह काम करने के लिए गरीब लोग हवाई जहाज से नहीं आते हैं। हवाई जहाज से तो मसानी

साहब जैसे धनी आदमी ही जाते हैं । यही स्मगलिंग भी करते हैं ।

एक माननीय सदस्य : मसानी साहब ?

श्री सिंहासन सिंह : मसानी साहब नहीं, धनी आदमी । स्वर्ण का तस्कर व्यापार धनी वर्ग ही करता है ।

बहुत दिन हुए, नारद ने युधिष्ठिर से पूछा कि धन कैसे पैदा होता है । युधिष्ठिर ने कहा कि चोरी से—जितना बड़ा धनी देखो, उसे को उतना बड़ा चोर समझो ।

एक माननीय सदस्य : विड़ला कौन है ?

श्री सिंहासन सिंह : सब से बड़ा चोर ।

एक माननीय सदस्य : वैरी गुड ।

श्री सिंहासन सिंह : यह बात आज मैं ही नहीं कहता हूं । महाभारत में प्रसंग है कि यह पूछा गया है कि धन कैसे पैदा होता है । बताया गया कि चोरी से । केवल साधारण धन आप ईमानदारी से पैदा कर सकते हैं, अधिक धन तो चोरी से ही होगा ।

जब स्वर्ण का तस्कर व्यापार करने वाले अफ्रीका और एरेबिया आदि से 60 रुपये में सोना खरीद कर यहां पर 147 रुपये में बेच सकते हैं, जैसा कि मसानी ने कहा है, तो व लायेंगे । वे पकड़े जाने का खतरा मोल लेते हैं । लेकिन पकड़ जाने के बाद भी क्या होगा ? इस देश का एक बड़ा भारी पूंजीपति बाहर से कोई चीज ला रहा था । उसने बाहर एकाउंट रखा हुआ था । वह इसी पालम हवाई अड्डे पर पकड़ा गया । वह अर्थ मंत्री के साथ जा रहा था ।

एक माननीय सदस्य : भूतपूर्व अर्थ मंत्री कहें ।

श्री सिंहासन सिंह : भूतपूर्व होगा, कोई रहा होगा, हम क्या जानें ? उस व्यक्ति पर 56 लाख का जुर्माना हुआ । उसने बोर्ड आफ रेवेन्यू में अपील की, तो वह जुर्माना पांच लाख हो गया और शायद अपील या रिवीजन में वह भी खत्म हो गया होगा ।

स्मगलर्ज पन्द्रह, बीस, पचास लाख का सोना लाते हैं । उनको जर्माना या जेल की सजा होती है, लेकिन किसी न किसी टेक्निकल ग्राउंड पर वे कहीं न कहीं छूट जाते हैं । उनको ज्यादा से ज्यादा लाभ होता है । अभी हमारे यहां स्मगल्ड गोल्ड को कनफिस्केट करने का प्राविजन नहीं है । जुर्माना करके छोड़ दिया जाता है ।

इस बिल के साथ पूरी हमदर्दी होते हुए भी मेरे दिल में यह खटकता है कि हम हर एक मेजर को हाफ-हार्टिड तरीके से लाते हैं । पूरे तौर पर सोच समझ कर हम कोई मैजर नहीं लाते हैं । इसका परिणाम यह होता है कि हर छठवें महीने हर तीसरे महीने उस विधयक में संशोधन हमको लाने पड़ जाते हैं । हमें चाहिये कि हम सोच समझ कर विधेयक लायें ।

अभी हमने देखा है कि गोल्ड कंट्रोल बिल कमेटी के सुपुर्द किया गया है और उसको राय देने के लिये कहा गया है कि यह बिल वापिस लिया जाये या न लिया जाय । इस बीच हम इस बिल को पास कर रहे हैं । बहस करने के बाद यह पास हो भी जाएगा । लेकिन जब कमेटी अपनी रिपोर्ट तैयार करेगी और उसको इस सदन के सामने पेश करेगी और अगर उसने कहा कि इसको पास न किया जाए तो एक बड़ी कठिन समस्या उत्पन्न हो जाएगी । तब हमें फैसला करना होगा कि उसको हम स्वीकार करें या न करें । इस तरह की गड़बड़ियां हो

[श्री सिंहासन सिंह]

जाया करती हैं । ये नहीं होनी चाहियें । इससे तालमेल बिगड़ जाया करता है । तालमेल हमेशा बना रहना चाहिए ।

यह बिल पास तो हो ही जाएगा इसमें सन्देह की बात नहीं है । लेकिन आप देखेंगे कि अगले सेशन में, बजट सैशन में इसको अमेंड करने के लिए संशोधन लाए जायेंगे । इसका मुझे पूरा-पूरा डर है । इस वास्ते अभी से इसको सोच समझ कर, पूरी छानबीन के बाद पास करवाया जाना चाहिये ।

अगर आपने इसको करना है तो हम इसका पूरा-पूरा स्वागत करेंगे अगर गोल्ड का बिल्कुल राष्ट्रीयकरण कर दिया जाए, स्वर्ण को राष्ट्र की सम्पत्ति घोषित कर दिया जाए । गांधी जी का हवाला भी अभी माननीय सदस्य ने दिया है । उन्होंने कहा है कि गांधी जी कहा करते थे कि सोने का बटवारा हो जाना चाहिये । मैं उनको याद दिलाना चाहता हूं कि गांधी जी तो यह कहा करते थे कि सारा देश गोपाल का है, सारा देश ईश्वर का है । बांटने के लिए तो उन्होंने कभी नहीं कहा । अगर सोना बांटने में लग जायेंगे तो झगड़ा पैदा होगा कि इतना तुम लो इतना यह ले, कितना कौन लेगा । गांधी जी ने क्या कहा था, इसको तो मैं देखूंगा । लेकिन मेरा पूरा विश्वास है कि वे कभी ऐसा नहीं कह सकते थे कि सोना लेकर बांट दो । मुझे याद है कि .....

डा० मा० श्री० अणे : ईश्वर की बात उन्होंने नहीं कही ।

श्री सिंहासन सिंह : वह नहीं कही है तो बांटने की बात भी नहीं कही है । मैं आपको बतलाना चाहता हूं कि वह इस हद तक जाया करते थे कि अगर वह रेल मंत्री होते तो रेलों का चलना, बन्द कर देते जब तक कि हर एक पैसेंजर टिकट न खरीद लेता । यह चीज अब भी टाइम टेबल पर लिखी रहती है । वह इतने सख्त थे । उनसे यह उम्मीद करना कि गोल्ड का बटवारा करने की बात वह कहते, मेरे विचार में सही नहीं होगा । अगर ऐसा हो तब तो झगड़ा पैदा हो जाएगा और कहा जाने लगेगा कि त्यागी जी को कम मिला और मसानी साहब को ज्यादा मिल गया । इस तरह के झगड़े वाली बात वह नहीं किया करते थे ।

मैं चाहता हूं कि आप सोच समझ कर इस मामले में कदम उठायें । अगर सोने का राष्ट्रीयकरण कर दिया जाए तो सारा झगड़ा ही मिट जाएगा । झगड़े की जो जड़ है, वह ही समाप्त हो जाएगी । इसको आप हमेशा के लिए कर दीजिए कि सोना अग कोई लेगा तो गवर्नमेंट की परमिशन से लेगा । आप चाहते हैं कि जिसके पास जेवर भी हैं, वे भी उसको घोषित करने पड़ेंगे । कोई करेगा और कोई नहीं भी करेगा । इसका नतीजा क्या होगा, इसको भी आपने देखा है । आपका इंस्पेक्टर जायेगा और अगर किसी के पास दस लाख के जेवर होंगे तो वह दो हजार रुपया उसकी हथेली पर रख देगा और इंस्पेक्टर कह देगा कि उसके पास पांच हजार के जेवर हैं । यह तो इंस्पेक्टर्ज को कमवे ने का जरिया आप बना रहे हैं । इसके सिवा और कुछ नहीं होगा । अगर इसको राष्ट्र की सम्पत्ति घोषित कर दिया जाये तो गोल्ड खोद कर भी आप बाहर निकाल लेंगे और घूस देने वाला भी कोई नहीं रहेगा । कारण यह है कि इसको रखना ही अपराध हो जाएगा जब जब रखना ही अपराध हो जाएगा तब कोई घूस भी नहीं देगा । अगर आप हिम्मत से कुछ करना चाहते हैं सोने के बारे में तो राष्ट्र की सम्पत्ति इसको करार दे दीजिये ।

हम देखते हैं कि अरबों और खरबों का सोना देश में पड़ा हुआ है, जमीन के अन्दर दबा पड़ा है । जब मैं जेल में गया था

तो मुझे याद है कि एक जेलर ने मुझसे पूछा था कि ठाकुर साहब बताइये कि कौन सा सब से सेफस्ट इनवैस्टमेंट होगा, सोना खरीद लें, चांदी खरीद लें, या कहां इनवैस्ट रुपया करें। इनका भाव तो बना रहेगा ? मैं ने जेलर से कहा कि सोना चांदी या जमीन ये तीनों मुस्तकिल धन हैं।

दुख से एक अन्तिम बात मैं कहने जा रहा हूं। अब तक किसी आदमी की ईमानदारी या नेकनीयती को नापा करते थे तो सोने से नापा करते थे और कहा करते थे कि वह तपा तपाया सोना है, उस में कोई खामी नहीं है, जितना तपाया जायेगा उतना ही खरा वह उतरेगा। लेकिन आज दुर्भाग्य से सोना भी प्योर नहीं आप रख रहे हैं। सोना भी घटिया होने जा रहा है, चौदह कैरट का सोना होने जा रहा है। इसके बाद किसके साथ उसकी उपमा दी जाएगी।

श्री राम सहाय पांडेय (गुना) : तपाने के बाद ही चौदह कैरट का होगा।

श्री सिंहासन सिंह : तपा तपाया सोना तो 22 कैरट का ही होता है।

हम देखते हैं कि जीवन का स्तर हमारा चारों तरफ गिरा हुआ है। अब सोना जो तोलने की चीज थी इसका भी स्तर गिरा दिया गया है, इसका मुझे दुख है आप 22 कैरट का सोना रखें, 14 या 13 क न रखें। 22 कैरट का ही शुद्ध सोना होता है, इसको अशुद्ध न करें। शुद्ध सोने का राष्ट्रीयकरण कर लें, इससे देश का कल्याण होगा।

Shri P. R. Patel: Mr. Chairman, I do not oppose the Bill. However, I have no pleasure in supporting the Bill. We had the gold control order under the DIR. That was done at a time when we were in trouble, when we were attacked by China and we wanted to pool all our resources for the defence of our country. The gold control order was enforced by the Government and yet, I would ask whether the gold price has gone down. My submission is that it has not gone down.

Shri Nath Pai (Rajapur): It has gone up.

Shri P. R. Patel: So, the purpose of the gold control order is not served. Secondly, smuggling of gold also has not gone down. Thirdly, has the love of gold decreased? We can have pious wishes and speak whatever we like in the House, so that people may say "this is a nice man". But the love of gold has not decreased. If my friends who are speaking here go home and search the pockets and trunks of their family members, they will find gold. The love for gold has not decreased.

I come to the 14 ct. gold. With all the rules about 14 ct. gold, I know that ornaments have been manufactured with 22 ct. gold. I think if we are honest we would admit that our experience is that 22 ct. gold ornaments have been manufactured by goldsmiths. We have all along been hearing cries from goldsmiths. I have no love for goldsmiths. I can assure you I have no gold with me. Even with my wife and my son's wife, the value of gold would be much less; it may not even be worth Rs. 5000.

So, if a legislation does not serve the purpose, what is the good of having it on our statute-book? What is the result? If we consider the legislations that we have passed, the breach is much more than the implementation. There is breach not only by the people, but by Government servants, ministers, Members of Parliament and legislators. When there is such a breach of law, people lose respect for law. I am of the opinion that whatever law we pass, it should be implemented fully.

Shri Nambiar: This is another prohibition law!

Shri P. R. Patel: If we want gold for the economy and welfare of our country, the best course is to restrict the people from purchasing gold. It may be ornaments, ear-rings or whatever it may be. It may be of 14 ct. or 5 ct. If you want gold let us have it. Restrict the people from having it, let us restrict ourselves. Let there be no buying or selling of that type. Today what we are doing is that we are having the satisfaction of passing a Bill, a Bill which will serve no purpose. I would like to know whether this Bill as it is would stop smuggling. Would it also make people have their ornaments in 14 ct? Nothing of that type. Will the price come down? No. Then, why have this Bill? If it does not serve the purpose, what is the fun in getting this Bill through in this august House?

If we read the Bill and the Gold Control Order we will find that this Bill is more stringent than the Gold Control Order. The goldsmiths and other people were fools to oppose the Gold Control Order. This Bill is more stringent than the Gold Control Order. The Gold Control Order exempted ornaments . No declaration of ornaments was necessary. There was no limit to the possession of ornaments. In this Bill a limit is placed at Rs. 50,000 worth of ornaments. If anybody has more he has to declare it. Once we agree to Rs. 50,000, it may come down to Rs. 25,000, then Rs. 10,000 and tomorrow it may be "any ornament". So the principle is the declaration of ornaments. Personally I feel that if ornaments are to be declared, let all ornaments, even ornaments worth a paisa, may be declared. What I desire is that let this be a legislation which can be implemented. There should be no loopholes. Today what will happen is, if I have ornaments worth Rs. 60,000 I will just put in the custody of my friend ornaments worth Rs. 30,000. Then no declaration is required. (*Interruption*).

Then there is one other thing. Today there is a kind of tendency that is increasing. It is said that these traders are rogues, they are blackmarketeers and all that. It is said that the goldsmiths are rogues, the persons dealing in gold are rogues and all that. If we say like this about the whole nation, that all are rogues, that is not the way of improving the nation.

Shri Nambiar: Then nobody will be left.

Shri P. R. Patel: It is a negative approach. I am the grandfather of more than two dozen grandchildren. I have large family. My sons' children, my daughters' children and nephews' children call me grandfather. But there is one rule in our family which we have followed. We never abuse the children. We never tell the children that they have done something wrong and we have found that our children are better than the other ordinary children. If you want to bring up the nation, if you want to bring the moral standard of the people high, you have to improve the moral standard in this way. Do not abuse the people as we are abusing them today. Let us stop here and trust our people. Today we are saying that gold should be nationalised. If gold is notionalised I will be very happy. Because, those people who talk of nationalisation are the worst hoarders, not the others. They are speaking only for the sake of speaking.

Mr. Chairman: The hon. Member should now conclude.

Shri P. R. Patel: I would not say anything more. Let there be a legislation which can be implemented, which can bring purity in the people. If we accept 14 carat, I think the whole nation is going to become 14 carat or 12 carat. That is not the way of making people pure or brave. So, if you come forward with a Bill, restricting or even taking away the entire gold from each and everybody, I would be the first person to support

such a measure because the possession of gold is not absolutely necessary, as food is necessary. Now we have certain legislation, certain Acts, certain orders which are not implemented or which are not capable of being implemented. Such enactments should not find a place in the statute book.

Mr. Chairman: The time of the hon. Member is over. He should conclude now.

Shri P. R. Patel: I resume my seat.

श्री स० मो० बनर्जी : सभापति महोदय, मैं चाहता हूं कि यह जो बिल ज्वायंट कमेटी से आया है वह सर्कुलेट हो ताकि इस के ऊपर जनमत संग्रह किया जाये और पहली फरवरी, 1965 तक यह सदन के सामने आये ।

मैं जानता हू कि वित्त मंत्री महोदय कहेंगे कि ऐसा मोशन पहले भी आया था जब यह ज्वायंट कमेटी के सामने जा रहा था । लेकिन ज्वायंट कमेटी में जिस तरीके से हमारे माननीय सदस्यों ने अपने नोट आफ डिसेंट दिये हैं उस से उन पर इस की प्रतिक्रिया का पता चलता है । आम तरीके से जो उन का मत है, उस को देखते हुए मैं समझता हूं कि आज भी जरूरत इस बात की है कि इस का सर्कुलेशन हो और इस पर जनमतसंग्रह किया जाये ।

मुझ को तो मालूम नहीं कि यह कहां तक सही है, लेकिन आप को सही तरीके से मालूम है, मैं ने कानपुर में पढ़ा कि हमारे काफी मंत्रियों ने और रूलिंग पार्टी के बहुत से सदस्य थे जिन्होंने इस की मुखालिफत की थी और उन्होंने चाहा था कि यह जो विधेयक है उस को खत्म कर दिया जाये । इस को वे नहीं चाहते । इस से मालूम होता है कि आज सिर्फ विरोधी सदस्यों में ही नहीं बल्कि हमारे कांग्रेसी भाइयों में इस के विरुद्ध भावना है और वे चाहते हैं कि यह विधेयक सदन के सामने न आये । लेकिन मुसीबत यह है कि उन के खिलाफ चाबुक इस्तेमाल किया जाता है और उन के दिल की ख्वाहिश उस के बाद दिल में ही रह जाती है । यहां आ कर उन को बटन दबाना पड़ता है ।

श्री कृ० चं० शर्मा (सरधना) : आप अपने दिल को अपने पास रखिये ।

श्री स० मो० बनर्जी : मैं अपने दिल को अपने पास ही रखता हूं और अपने काबू में । इसलिये मैं केवल यह बात कहूंगा कि अभी मैं ने सदन में ऐतराज किया था कि पिटिशन कमेटी के सामने यह मसला है और उस ने कोई निर्णय नहीं दिया है, मैं फिर इस बात को कहूंगा कि पहले हम पिटिशन्स का फैसला कर दें उस के बाद इस को लेना ठीक होगा । पहली पिटिशन एक करोड़ लोगों ने दी है जिस में लगभग 17 लाख या 18 लाख स्वर्णकार बन्धु हैं और बाकी कलकत्ते और दूसरे शहरों की जनता है । उन्होंने कहा है, कमेटी के सामने सुझाव रखा है कि इस बिल को ड्राप कर दिया जाये । दूसरी पिटिशन मेरे मित्र श्री सुरेन्द्रनाथ द्विवेदी ने पेश की थी । उस में भी लाखों स्वर्णकारों के हस्ताक्षर थे । उन्होंने भी यही कहा था कि इस बिल को ड्राप कर दिया जाये । मुझे मालूम हुआ है कि कल या परसों एक और पिटिशन आने वाली है । लेकिन इस के बाद भी पिटिशन्स कमेटी को यह मौका नहीं दिया गया कि वह अपना निर्णय पहले दे दे जिस में कि जितने सदस्य हैं वे इस पर गौर करें, देखें भालें और उस के बाद फैसला करें कि इस बिल का स्वागत करें या इस में संशोधन पेश करें ।

मेरी समझ में नहीं आता कि आखिर यह पिटिशन्स कमेटी क्यों बनी । मैं कोशिश कर रहा हूं कि हाउस आफ कामन्स की या दूसरे देशों की अगर कोई नजीरें या मिसालें हों तो उन को मैं कल सदन के समक्ष रखूं

[श्री स० मो० बनर्जी]

और कहूं कि इस तरह से पिटिशन्स कमेटी के लिये सिफारिश देने के लिये कुछ रह ही नहीं जाता । अगर इस तरह से पिटिशन्स कमेटी की अवहेलना की जाये तो यह कहां तक उचित है ।

मैं एक चीज कहना चाहता हूं । इस बिल के पीछे कौन से उद्देश्य थे जिन के लिये यह बिल लाया गया । उस वक्त देश के सामने एक ही मसला था कि देश की आजादी को चीनी हमलावरों से बचाना है । हमारे भूतपूर्व प्रधान मंत्री जी ने उस समय एक नारा दिया था कि इस वक्त हम को हथियार खरीदने हैं और उस के लिये विदेशी मुद्रा की जरूरत है । हमारे पास विदेशी मुद्रा की कमी है इसलिये तमाम बहनों और भाइयों से कहा गया कि अपने जेवरात दे डालो । उन्होंने स्लोगन दिया कि **आर्नामेंट फार आर्मामेंट** । मैं आप को यकीन दिलाता हूं कि जिन के पास केवल एक जेवर था, जिन के पास केवल सुहाग के कंगन के जोड़े थे, जिन के पास केवल मंगल सूत्र थे, जिन के पास केवल वह चीज थी जिस में सुहाग का सिन्दूर दिया जाता है, उन्होंने अपने एक मात्र **जेवर** को भी दे दिया । महारानियों ने नहीं दिये, महाराजाओं ने नहीं दिये, बल्कि जो गरीब लोग थे जिन की आपदनी मुश्किल से 50 या 100 या 200 रु० महीने थी उन्होंने इस एक नारे पर साफ तरीके से दे दिये और सोने के गहनों से बिल्कुल खाली हो गये । वह दिन भी हमें याद है जबकि एक बहन को कहा गया कि वह अपना मंगल सूत्र उतार कर न दे, तो उस ने अपने पति का हाथ पकड़ कर कहा कि यह तो सही है कि यह मंगल सूत्र मेरे सुहाग का चिह्न है और मैं इसे अपने पास बचा कर रख भी सकती हूं लेकिन असली सुहाग तो तुम ही मेरे हो और देश की रक्षा की खातिर जब तुम्हें मैं नहीं रोक कर अपने पास रख सकती तो फिर इस सोने के मंगल सूत्र के ही रखने से क्या लाभ होगा और उस ने वह मंगल सूत्र सुरक्षा कोष में दे डाला क्योंकि उसे अपने देश की आजादी की रक्षा स्वयं अपनी पर्वाह न करते हुए भी करनी थी । यह बहन महाराष्ट्र की थी

एक माननीय सदस्य : मध्य प्रदेश में भी काफ़ी बहनों ने अपने स्वर्ण आभूषण आदि उतार कर दे दिये थे ।

श्री स० मो० बनर्जी : मैं तो चाहता हूं कि वे बहनें आज खड़ी हो जायें और कहें कि यह बिल गलत है ।

एक माननीय सदस्य : : गरीब लोग तो इस गोल्ड कंट्रोल बिल के पक्ष में हैं ।

श्री स० मो० बनर्जी : मैं नहीं सुन पाया कि वे क्या कहना चाहते हैं, अगर जोर से वे उसे दुहराये तो मैं उसका उन्हें जवाब भी दूं ।

हमारे भूतपूर्व वित्त मंत्री ने यह गोल्ड कंट्रोल बिल के लाने के लिए तीन उद्देश्य बतलाये थे । इस से सोने का दाम गिराया जायगा और इन्टरनेशनल प्राइस के साथ उसकी प्राइस को लाया जायेगा । गोल्ड स्मगलिंग समाप्त करके सोया हुआ सोना बाहर लाया जायेगा । उन्होंने यह भी कहा था कि इस बिल के पीछे यह भी उद्देश्य है कि सोना सरकार के पास आये । लेकिन हम सब ने देखा कि जब एक महीने की छूट दे दी गई तो तक़रीबन 4000 करोड़ का सोना सो गया और उस के जागते जागते मंत्री महोदय भी चले गये । इस के अलावा इस के द्वारा सोने का तस्कर व्यापार भी बन्द करने की बात हो रही थी । अब जिस देश में एक्स कैबिनैट मिनिस्टर का लड़का, किसी चीफ़ मिनिस्टर का लड़का तस्कर व्यापार में अपना हाथ बंटाये उस देश में यह तस्कर व्यापार ख़त्म होना कैसे मुमकिन

हो सकता है ? एक वाल्कट यहां पर आया था । उस का काफ़ी यहां पर जिक्र हुआ लेकिन सलामत रहे यह सरकार, सलामत रहे हिन्दुस्तान और उस के कानून, यहां तो देश में हजारों वाल्कट स्वयं मौजूद हैं । कुछ हुआ नहीं । सोने का दाम आज भी कलकत्ते के बाजार में, कानपुर के बाजार में अगर आप की जेब में पैसा हो, और सभापति महोदया यदि आप जेवर पहनना चाहें हालांकि आप जेवर नहीं चाहतीं लेकिन अगर आप चाहें और 136 और 140 रुपये अगर आप में देने की हिम्मत हो तो हर एक जेवर आप के लिए बन सकता है । बहू बाजार में या बम्बई के जौहरी बाजार में, झवेरी बाजार में या दूसरे सर्राफ़ के बाजारों में आप चले जाइये 136 से 140 रुपये में सोने के जेवर बनवाये जा सकते हैं । पहले और अब में फर्क केवल इतना हो गया है कि पहले जहां जेवर के तैयार होने पर कसौटी पर कह कर उसकी शुद्धता की जांच की जा सकती थी अब वह कसौटी की जांच नहीं हो सकती है । अब हालत यह है कि न लेने वाला उस की जांच कर सकता है और न ही देने वाला उस को कह कर ग्राहक को संतुष्ट कर सकता है, बस रूमाल में लपेट कर दुकानदार उसे सौंप देता है और वह उसे चुपचाप अपनी जेब में रख लेता है । और वह मनुष्य ले जा कर अपनी बेटी के गले में डाल देता है । यह तो पता थोड़े समय के बाद ही चल सकेगा कि वह जेवर उसका दस कैरेट का था या आठ कैरेट का था ।

श्री त्यागी : यह आप का जाती तजुर्बा है ।

श्री स० मो० बनर्जी : जी जाती तजुर्बा तो है नहीं । अभी शादी तो की नहीं है और न ही कोई लड़का या लड़की है ।

भूतपूर्व वित्त मंत्री यह गोल्ड कंट्रोल बिल लाये थे । हमारे वर्तमान वित्त मंत्री श्री कृष्णमाचारी ने उस में कुछ छूट दी लेकिन चूंकि उन्होंने इसे अपनी इज्जत का सवाल बना लिया था तो लाचार होकर वर्तमान मंत्री जी को श्री मुरारजी देसाई के उस बेबी को अपनी गोद में लेना पड़ा और चूंकि उन्होंने इसे अपनी इज्जत का सवाल बना लिया था इसलिए उन्हें यह कहना पड़ा कि हम इस बिल को पास कर के ही छोड़ेंगे । इस तरह से यह एक मुसीबत हमारे सामने आ गई है । इस के विरोध में हमारे स्वर्णकार भाइयों ने बड़ा आन्दोलन किया है और क़रीब 200 या 250 आदमियों ने तो इस के विरोध में खुदकशी भी कर ली है । वे बेचारे बेरोजगार हो गये हैं और मजा यह है कि अभी तक उनको कोई मुआविजा भी नहीं दिया गया है । आज भी मैं आप से कहता हूं कि 16 या 17 लाख स्वर्णकार और जोकि असली स्वर्णकार है उन्हें कोई संतोष नहीं है । अब अगर इस तरह के बिल के पास करने से कोई फ़ायदा देश का होता हो तो समझ में भी आ सकता है लेकिन भगवान न करे अगर दुबारा हम पर कोई आक्रमण हो जाय, चीनियों से हमें हमेशा चौकन्ना बने ही रहना है और उन पर कतई विश्वास नहीं किया जा सकता है कि वह कब क्या कर न बैठें, इसी तरह पाकिस्तान पर भी हम कोई विश्वास नहीं कर सकते है कि वह कब क्या शरारत कर बैठे, भगवान न करे अगर कोई दुबारा हम पर आक्रमण हो जाय और हमारे प्रधान मन्त्री देश की सुरक्षा के लिए सोना देने का नारा देंगे तो उन्हें 14 कैरेट का ही तो सोना जनता से मिल सकेगा और वे स्वयं समझ सकते हैं कि इस 14 कैरेट के सोने से उनको क्या हथियार आदि मिल सकेंगे ?

एक माननीय सदस्य : 9 और 10 कैरेट के बन रहे हैं ।

श्री स० मो० बनर्जी : मुझे मालूम नहीं कि 14 कैरेट के ही बनने हैं या इस से भी कम के बनने हैं ।

[श्री स० मो० बनर्जी]

मोर्टगज करने के बारे में मन्त्री महोदय कहते हैं कि मोर्टगेज करने के बारे में कोई संशोधन आयेगा तो उस को वह मान लेंगे। अब क्या संशोधन आयेगा ? वह मुझे मालूम नहीं। वह सदन के सामने लायें तो हम लोग उसे देखें। लेकिन आज देश की जनता का मैं कहता हूं कि उस के मत का अपमान किया जा रहा है। गोल्ड कण्ट्रोल बिल अपोजीशन मैम्बर्स के मत के खिलाफ़ ही नहीं, स्वर्णकारों के मत के ही खिलाफ़ ही नहीं, बल्कि सारे देश की जनता के इसके विरुद्ध मत दिये जाने पर भी हम इसे इस सदन में लाये हैं। ऐसा आप सिर्फ इस सदन में अपनी मेजारिटी के कारण ही कर सके हैं क्योंकि हम लोग जो इसके खिलाफ़ हैं वे अल्पसंख्यक हैं। लेकिन इसके मानी यह तो नहीं हो जाते हैं कि अगर आज इस सदन में हम अल्पसंख्या में हैं तो हमारी आवाज कोई आवाज ही नहीं समझी जायेगी ? मेरा तो कहना है कि अगर इस विधेयक के बारे में सभी सदस्यों को जो कि ट्रेजरी बैंचेज पर बैठते हैं अपना मत देने की छूट दे दी जाय, उन पर व्हिप न लागू किया जाय तो हमारे यह जितने भी सदस्य यहां पर बैठे हुए हैं वे सभी इस बिल के खिलाफ़ अपना वोट देंगे यह मुझे विश्वास है।

सरकार जो यह गोल्ड कण्ट्रोल बिल पास कराना चाहती है तो क्या सरकार अपने हाथ में इस व्यापार को सफलतापूर्वक लेकर चला सकती है ? जब बकों के राष्ट्रीयकरण की बात उठती है, जब जनरल इंश्योरेंस का राष्ट्रीयकरण करने की बात कही जाती है और राष्ट्रीयकरण की बात चाहे वह गोल्ड के बारे में, फुडग्रेंस के बारे में हो, अथवा किसी दूसरे व्यापार के बारे में हो तो इन की तरफ़ से यह कह दिया जाता है कि हमारे देश में मिक्स्ड एकोनामी चल रही है और उस में प्राइवेट सैक्टर भी रहेगा और पब्लिक सैक्टर भी रहेगा।

सभापति महोदया : माननीय सदस्य का समय समाप्त हो रहा है।

श्री स० मो० बनर्जी : मैं केवल दो या तीन मिनट में ही अपनी बात समाप्त कर दूंगा। आज हमारे स्वर्णकारों की मांगें हैं क्या ? उन्होंने अपनी पैटीशन में साफ तौर से अपनी डिमाण्ड्स को लिखा है। उसमें वह साफ़ तरीक़े से लिखते हैं :—

"Government should recognise and protect Swarnashilpa as a cottage industry and shoulder all responsibilities for its fullest development.

Arrangement should be made for the import and distribution of gold to artisans and the public through Government agencies.

Arrangement should be made for the sale of Swarnashilpa products on the line of handicraft products in the internal as well as the international markets and for launching of an effective propaganda for the sale of its products and the establishment of a jewellery emporium in different places for this purpose.".

उन्होंने यह कहा है कि यह चीजें ऐसे हो सकती हैं। इस बारे में हमारे एक भाई श्री सिंहासन सिंह ने ठीक ही कहा है कि थोड़े दिन के बाद ही आप देखियेगा कि इसका अमेंडमेंट आ रहा है। इमरजेंसी अब भी है हालांकि बहुत से लोगों को मालूम भी नहीं है कि कोई इमरजेंसी है भी या नहीं। अगर इस तरह से थोड़े दिन बाद फिर इसके लिए एक संशोधन विधेयक लाया जाना ही है, दुबारा इसे सदन में फिर पास कराना ही है तो मैं अपने मन्त्री महोदय से यह नम्र निवेदन करना चाहता हूं कि वे अब भी इस बारे में अच्छे तरीक़ से सोच लें और अभी इसको वर्तमान रूप में पास कराने पर जोर न दें। अगर यह वर्तमान गोल्ड कण्ट्रोल बिल मौजूदा इसी सैशन में पास न भी हुआ तो उससे कोई देश की बड़ी हानि होने नहीं

जा रही है जिसके कि कारण उसका अभी फौरन पास ही करना जरूरी हो। इस के लिए कुछ और वक्त दें और कुछ इस बारे में सोचें और सोचने के बाद अगर कोई और बिल लाना चाहें तो फिर उसी को वे लायें। मन्त्री महोदय इस बारे में गम्भीरतापूर्वक सोचें ताकि हमारी जनता, हमारे गोल्डस्मिथ जो कि वाक़ई में सुनारी का काम करते हैं और जो जेवरात आदि बनाते हैं उनको कोई न कोई फ़ायदा हो।

मैंने इस बिल के ऊपर काफ़ी संशोधन दिये हैं। क्लाजेज 3, 4, 7 और 9 आदि धाराओं पर मैंने बहुत से संशोधन दिये हैं। उनके ऊपर जब धारावार बहस होगी तो मैं अपने विचार रक्खूंगा।

अन्त में मैं एक बात कहना चाहता हूं और वह यह कि यह बिल जो कि सदन के सामने पेश है वह कल शायद पास भी हो जायेगा लेकिन देश में जो आज एक विषमता फैली हुई है जब किसी चीज के दाम हम रोक नहीं सकते हैं, चीजों के दाम रोक नहीं सकते हैं, चीजों के दाम सरकार कम नहीं कर सकी, रोक नहीं सकी तब उस सरकार को क्या हक़ है कि कुछ लोगों को बेकार किया जाय ? अगर स्वर्णकारों की लाशों पर यह बिल पास भी हो गया तो क्या इससे देश की जनता खुश होगी ? मैं मन्त्री महोदय से निवेदन करना चाहता हूं कि वह इन बातों पर अच्छी तरह से सोचें। इस विधेयक का विरोध इस लिए नहीं करता हूं कि मैं विरोधी दल का एक सदस्य हूं। मैं इस लिए इस का विरोध करता हूं कि इसके पास हो जाने से देश का कोई कल्याण नहीं होगा, सोना हाथ में नहीं आयेगा और जो सोना आज दबा हुआ है, वह फिर भी दबा हुआ रहेगा। इसलिए इस बिल को वापस ले लिया जाये। इससे वित्त मन्त्री जी की इज्जत बढ़ेगी, घटेगी नहीं---देश में उनका सम्मान और बढ़ेगा।

श्रीमती सहोदराबाई राय (दमोह) : जैसे पति के बिना स्त्री विधवा हो जाती है, उसी तरह हमारे हिन्दुस्तान में सोने के बिना कई महिलायें विधवा हो जाती हैं। मैं देहात से आती हूं। जब मैं अपने क्षेत्र में जाती हूं, तो वहां की जनता की तरफ से नाना प्रकार की गालियां दी जाती हैं। मुझे कहा जाता है कि तुम पार्लियामेंट में मिनिस्टर साहब को क्यों नहीं कहतीं कि सोने पर जो नियन्त्रण लगाया जा रहा है, उसको हटाया जाये, क्योंकि देहात में किसानों के पास ज्यादा से ज्यादा जो कुछ होता है, वह सोना ही होता है।

16.51 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

अगर देहात में किसी ने अपनी लड़की की शादी करनी है या जमीन खरीदनी है या किसी और काम से कर्ज लेना है, तो वह साहूकार के पास जेवर रख कर रुपया ले लेता है, तब काम चलता है।

अब तो सुनारों को भी बड़ा मजा है। वे कोई लेखा-जोखा नहीं रखते हैं---चाहे खोटा दे दें और चाहे चोखा दे दें। अगर हम जेवर को कपड़े में बांध कर घर ले जायें और रास्ते में पुलिस मिल जाये, तो वह पूछेगी कि यह सोना कैसे मिला, कहां से लिया, रसीद कहां है और बन्द कर देगी। एक तो यह आफ़त हो गई है।

मैं अपनी पार्टी की तरफ से नहीं कहती हूं, लेकिन मैं समझती हूं कि भविष्य में चुनाव जीतना बड़ा कठिन हो गया है, क्योंकि जनता का निर्वाह नहीं होता है और वह नाना प्रकार से कोसने लगी है। इसलिए सरकार को सोचना चाहिए कि आखिर सोने से क्या बाधा पड़ी है कि वह उस पर नियंत्रण लगाना चाहती है। सोने का तस्कर व्यापार रोकने के लिए सरकार को आबकारी के आदमी बढ़ाने चाहिएं, खाना-तलाशी लेनी चाहि

[श्रीमती सहोदराबाई राय]

और चुंगी-चौकी की व्यवस्था अधिक कड़ी बनानी चाहिए, । हमारे देश में हमारे कई भाई ऐसे गद्दार हैं, जो सोने का तस्कर व्यापार करने वालों का सही पता नहीं देते हैं ।

वैसे तो मैं दिल में इस विधेयक का विरोध करती हूं, लेकिन चूंकि मैं पार्टी से बंधी हुई हूं, इसलिए मैं इस बिल का विरोध नहीं कर सकती और इसका समर्थन करती हूं । मेरी प्रार्थना है कि सरकार देहात की जनता और किसानों की तरफ ध्यान दे । वक्त पर सोना ही उनके काम आता है । इसलिए उस पर रोक न लगाई जाए ।

सुनारों को डेढ़ हजार, दो हजार रुपया दिया जाता है, उन को एजूकेशन की सहूलियत भी दी जाती है, लेकिन फिर भी वे रात-दिन गाली देते हैं और हल्ला करते हैं कि हमको कुछ नहीं मिला है । सुनारों ने हजारों करोड़ों ले लिये, लेकिन फिर भी वे गाली देते हैं । धनियों ने रुपये ले लिये, लेकिन ग़रीबों को कुछ नहीं मिला । जो काम करने वाले सुनार हैं, जो मजदूरी करते हैं, उनको सही मजदूरी नहीं मिलती है । बड़े सर्राफे वाले सब कुछ ले जाते हैं और गरीबों की तो मौत हो गई है । वे रात-दिन हमारे पास आते हैं । दमोह, सागर, जबलपुर आदि में सुनार लोग हजार, पन्द्रह सौ रुपये ले जाते हैं और उसको खाने के बाद फिर मांगते हैं । सरकार ने सुनारों को सब सहूलियतें दे रखी हैं , लेकिन उनका हल्ला समाप्त नहीं हुआ ।

आज चौदह या दस कैरट के सोने की वजह से जनता लुट रही है और इससे जनता को कोई फायदा नहीं हुआ । मेरी प्रार्थना है कि सोना 22 और 30 कैरट का हो, जैसे पहले था, वैसे ही होना चाहिए । इस बारे में जो नये नये नियम और कानून बनाए जाते हैं, उनकी वजह से विरोधियों ने गाली दी, महिलाओं ने गाली दी, कांग्रेसियों ने गाली दी, जनता ने गाली दी । लोग मंत्रियों को कोसते हैं । जनता ने एक वर्ष में मोरारजी भाई को इतनी गालियां दीं कि हम क्या बतायें ।

श्री त्यागी : कुसूर औरतों का है ।

श्रीमती सहोदराबाई राय : औरतों का कुसूर नहीं है । औरतें तो बेचारी भोली-भाली हैं । उनको तो पुरुष चंगुल में डाल लेते हैं । वे तो उनसे बंधी हुई हैं । महिलायें तो पति-धर्म निभाने वाली हैं । जो पति कहता है वे करती हैं ।

पहले लड़के-लड़की की शादी के लिए साहूकार के पास जेवर रख कर रुपया ले लेते थे और बाद में उठा लेते थे । लेकिन अब साहूकार के पास क्या रखेंगे ? इसलिए मेरी प्रार्थना है कि सोने के बारे में ऐसा बिल बनाया जाये, जिससे पहले वाली स्थिति हो जाये ।

तस्कर व्यापार को रोकने के लिये आबकारी के आदमी बढ़ाये जायें, चुंगी-चौकी का इन्तजाम ठीक किया जाये, बन्दरगाहों, जंगलों और पहाड़ों पर ध्यान दिया जाये, ज्यादा सी० आई० डी० रखी जाये ।

हिन्दुस्तान का भविष्य बड़ा कठिन दिखाई देता है । जनता बड़ी बागी हो रही है । भविष्य में हम को बड़ी मुसीबत का सामना करना पड़ेगा । सोने के बारे में ऐसे नियम बनाये जायें, जिससे सरकार को भी सहूलियत हो और वक्त पर महिलाओं को भी सहूलियत हो, घर में जेवर हों, धन-दौलत हो, देश का विकास हो और हम लोगों का भविष्य अच्छा हो ।

श्री कृष्णमाचारी से मेरी प्रार्थना है कि वह काम को जनता की बुराई लेते हैं । वह ऐसा रास्ता निकालें कि जनता में उनकी जय हो और हम लोगों को सहूलियत हो ।

श्री हुकम चन्द कछवाय (देवास) : चुनाव जीतने में ?

श्रीमती सहोदराबाई राय : इस बिल की सपोर्ट तो मैं जरूर करती हूं, लेकिन विरोध भी करती हूं, क्योंकि जनता को और देहात की महिलाओं को भी बड़ी तकलीफ है और सोने के धंधे में लगे लोगों को भी बड़ी तकलीफ है । सुनार लोग रात-दिन हल्ला करते हैं । वे 1500 रुपये कलेक्टर से ले लेते हैं, कुछ तहसीलदार से ले लेते हैं और कुछ दूसरी जगह से ले लेते हैं । वे लेते भी जाते हैं और बदनाम भी करते जाते हैं । इस बिल से कोई फायदा नहीं है ।

इसलिए सरकार को कोई दूसरा रास्ता निकालना चाहिए, जिस से राष्ट्र को मदद मिले, राष्ट्र का विकास हो, देश की रक्षा हो, हमारी महिलायें सोने से माला-माल हों, ताकि वे वक्त पर सरकार को दे सकें ।

Shri Alvares (Panjim): Mr. Deputy-Speaker, one would have thought that the Bill after coming out of the consideration by the Joint Committee would have improved matters considerably. But I find that in spite of all the searchlight thrown on this Bill and the representations made by those who appeared before the Committee, the Bill has come out, in its main provisions almost as it was first presented and therefore my opposition to this Bill remains more than ever. Nobody could take objection to the objective of stopping smuggling. Smuggling of all types of goods must end and must be brought under control. But how is it possible for the Government to stop smuggling when circumstances are so favourable? If one looks at the bullion quotations at the newspapers, one finds that the price of gold was as it was before when the gold control order was introduced. Yesterday I had an occasion to look to the price list. There is a very cryptic sentence: the price of gold has been rehabilitated because of the news of fresh arrivals. Any newspaper can with impunity print the price of gold in the black market and can also say that next week there will be more arrivals; this week there are less arrivals and according to that news, the prices fluctuate.

17 hrs.

It is my contention that the printing of these prices is an open invitation to smuggling. After all, if the price of gold is what it is today, in spite of the limitation put by Government to go by the international price, it is obvious that the people who want to hoard gold will go and buy gold. I find that the Joint Committee has not given any attention to the point as to how to stop smuggling. All that the Government thought fit to do is to impose control upon the poor goldsmith. Obviously, the goldsmith is at the third receiving end of this smuggling racket. The gold first comes to the sea customs, and then it passes to the traders and finally only a small proportion of the gold comes down to the goldsmith for the making of ornaments.

Mr. Deputy-Speaker: The hon. Member may continue tomorrow.

17.01 hrs.

CONVERSION OF HINDUS IN PAKISTAN*

Shrimati Savitri Nigam (Banda): Mr. Deputy-Speaker, Sir, I want to raise a discussion on points arising out of the answers given on the 14th December, 1964, to Starred Question No. 489 regarding conversion of Hindus in Pakistan.

Unfortunately, there has been a definite and very fast deterioration in the functioning of the External Affairs Ministry which is quite visible not only by the answers and replies given

*Half-An-Hour Discussion.

[Shrimati Savitri Nigam]

but also by the statements made by its spokemen from time to time. I am going to quote two or three glaring examples to prove the accuracy of my statement.

This morning, one hon. Member asked Shri Swaran Singh whether there has been a little contradiction between the statement made by him and the statement made by the hon. Prime Minister. He said he has not seen in what way the statement has been reported by the foreign journalists who are not very dependable. I would humbly submit to him that my one-man secretariat works perhaps more efficiently than the huge secretariat at the command of the External Affairs Ministry. I want to know why the hon. Minister did not see his own statement especially when it was reported in a wrong way, in a way which was contradictory to the statement made by the hon. Minister, and why the contradiction was not issued immediately after his arrival if it was really wrongly reported. The whole country is surprised and quite frustrated because of the contradictory statements made by the two different spokesmen of the External Affairs Ministry. The army of I.C.S., I.A.S., and I.F.S. officers is just busy doing the routine work.

A few months ago, when one senior officer of Pakistan was caught redhanded for indulging in espionage activities, the Pakistan Government wanted 24 hours from us for making the declaration. When that was given, the result was that first Pakistan announced the deportation of one of our senior officers of the same rank, showing to the whole world that in fact the Indian officer was turned out for espionage activities and we have just revengefully turned out their officer. At that time we thought that the honest and decent stand of our Ministry has been exploited by them, but this time, again, exactly the same thing has happened and exactly the same thing has been repeated. This shows clearly that the Ministry of External Affairs has failed in its diplomacy and failed miserably. It can be fooled by the Pakistan Government any time. This is a matter of great concern to us all.

I would like to mention another point which is a matter of great concern. All the newspapers were full of the news of the forcible conversion and when the question was asked in this House, the Ministry showed its utter ignorance and inability to find out the exact position and the correct situation. The reply which was given was not only unconvincing, but misleading also. The reply was:

> "Government is aware of this news item. Government of India have from time to time seen reports of forcible conversion of minorities; and they are aware of the persecution of minorities which has led to a sense on insecurity and continued migrations into India. This, of course is in violation of the Nehru-Liaquat Pact of 1950 and the attention of the Pakistan Government has been brought to this."

Further replies which were given to the supplementaries have a sort of a note of helplessness too. While it was accepted that forcible conversion was there, when the number was enquired, there was no reply. They said, "We do not have the number of people who have been converted so far." When asked why the correct position has not been found out through the Embassy, the reply was that the Embassy did not have any information. So, it is quite obvious that the Ministry and the Embassy have not attached any importance to this. Both of them have neglected and failed in their duty which is expected of both of them to protect the interests of the minorities in the other country.

It is high time the External Affairs Ministry realised this fact that when any such sensational news item appears in the newspapers, there are

very many chances of very dangerous reactions and repercussions. So, immediately some very authentic categorical and definite reply must be given by the External Affairs Ministry. They must also suggest the remedies which have been adopted to protect the interests of the minority community. If the news is wrong, it should be contradicted in such a categorical and firm way that there may not be an iota of doubt in anybody's mind and especially in the minds of those unfortunate relations of those minorities here. But nothing was done. The spokesmen of the External Affairs Ministry may not be so religious-minded; they may be very cosmopolitan. But they must not forget the fact that those people who are quite helpless and who are suffering a lot of torture attach great importance and they have got great religious sentiments to their own religion. So, if the news was correct, we must find out some solution. If our protest has not proved successful, we must approach through the various international organisations like the World Court or the UN. There are many other ways to find out remedies and give protection to these unfortunate minorities who are being forcibly converted. In this 20th century, this is a most inhuman thing to convert people in a forcible way.

I would also like to make it clear in the end that all my criticisms have been motivated by the desire to improve matters in the External Affairs Ministry, as this Ministry has great responsibilities. Secondly, I do not know whether I should mention it or not, this Ministry is full of friends and everybody wants the best thing for his friends. I also want the best for this Ministry and I want to pull them up, so that they may come up to the mark.

With these words, I want to know from the Minister what remedies they are going to adopt to give protection to the unfortunate minorities in that country and what steps they have taken to find out the accurate position.

Shri B. K. Das (Contai): It appears that no serious attempt has so far been made to ascertain or at least have a right guess about the exact position regarding the conversion. May I know if it was done through any agency or any international agency like the Red Cross? May I know whether the help of such agencies was sought for?

Shri S. M. Banerjee (Kanpur): May I know whether it is a fact that there are several letters from those who have been forcibly converted, addresed to the Prime Minister and the Home Minister of this country, requesting them to see that the Nehru-Liaquat Ali Pact, as far as the protection of minorities is concerned, is respected, and to take up the matter at the highest level in Pakistan?

श्री प्रकाशवीर शास्त्री (बिजनौर) : पूर्वी पाकिस्तान में विभाजन के बाद जो हिन्दू रह गये थे उनके सम्बन्ध में क्या इन पिछले सतरह वर्षों में सरकार ने यह जानने का यत्न किया कि जो सन् 1961 के आबादी के आंकड़े हैं उनके हिसाब से उनकी संख्या बढ़ कर कितनी बोनी चाहिये और उन में से कितने भारत आ गये । शेष जितने वहां होने चाहियें थे बढ़े हुए अनुपात से, उनकी संख्या में क्या पर्याप्त कमी हुई है ? और इसका बहुत बड़ा कारण यह है कि उन में जो विशेषकर छोटे वर्ग के लोग थे उनका धर्म-परिवर्तन कर लिया गया है । यदि हां, तो क्या भारत सरकार ने अपने हाई कमिश्नर के द्वारा या अन्य एजेन्सियों के द्वारा यह पता लगाने का यत्न किया कि कितने लोगों का धर्म परिवर्तन किया गया है ?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): Sir, I have listened, I would not say with interest, with rather despair at the way the hon. Member who opened the debate made an attack on the Ministry rather than on the subject, namely, the question of forcible conversion. The complaint is unnecessary, because the answer

[Shrimati Lakshmi Menon]

that I gave to the House completely covers the whole question. It is very difficult to find out the exact number of persons converted because this conversion is taking place all the time not only in Pakistan but all over the world. People are changing religion and getting converted, may be out of fear, may be out of poverty, may be out of temptations that are offered by the preachers. There is nothing in the Constitution, neither in ours nor in the Constitutions of other countries nor even in the Declaration of Human Rights, which prevents a person or persons preaching or propagating his or their religion. It is very difficult to find out whether a conversion is forcible or not. It comes to our notice when large numbers of people are converted together. Then we suspect that there was force. This force may not be physical force, it may be out of sheer fear because minorities living in a dominant majority group feel that it will be better for them to accept the religion of the majority, even if it is against conviction, because it may mean a certain sense of security.

Two such cases have come to our notice with regard to West Pakistan and which I mentioned on that occasion. One group of 600 Hindu Bheels of a village embraced Islam. In another case 200 Bazigars embraced Islam. Whenever news of conversion reaches us we point out to the Pakistan Government that it is in violation of the Nehru-Liaquat Agreement which guaranteed safeguarding the interest of the minorities.

The hon. Member opposite has raised a very vital issue. This is a point which can be settled only at the highest level, by promoting communal harmony, by making the Government realise that the minorities have a right not only to exist but also to follow their own faith. Everything in that direction is being done. At every conference this matter is being taken up, that the rights of minorities should be safeguarded and the Nehru-Liaquat Pact should be implemented and observed.

Shri S. M. Banerjee: Will it be taken up at the Home Ministers' Conference?

Shrimati Lakshmi Menon: The Agenda for the Home Ministers' Conference has not been finalised. Certainly, if this is a matter which has to be taken up, it will be included in the Agenda. I cannot give a guarantee now whether it will be taken up or not.

Then, in East Pakistan, there has never been any mass conversion. There has been conversion, as I pointed out the other day in reply to a question, of kidnapped girls, minor girls, married women who are forcibly taken away, being converted to the religion of the kidnapper and so on. But when they are produced before the court, they simply say that they wanted to marry a particular person and so they changed their faith voluntarily.

We have been accused of omission, not taking any interest. The extent to which we can take any interest and investigate the matter is limited, because unless a person comes and tells you that a person has been forcibly converted and the use of force can be proved, nothing can be done. We may become very excited about it but these limitations we have to understand and appreciate.

Then the question is asked why we do not take it up through some international agency or why we do not refer it to the United Nations. This is a funny situation in this House . . in the morning they say "why did you refer it to the United Nations?" and in the afternoon they say "why don't you refer it to the United Nations?". Only today morning, when there were questions about Kashmir, we saw that Members wanted to withdraw the question from the United Nations, as they felt that the United Nations has become ineffective and cannot do anything.

Shri Sivamurthi Swamy (Koppal): Sir on a point of order.

Shrimati Lakshmi Menon: There is no point of order.

Shri Sivamurthi Swamy: That is not for the Minister to decide.

Mr. Deputy-Speaker: What is the point of order?

Shri Sivamurthi Swamy: The Minister of State for External Affairs says here that in this House funny things are going on, something is said in the morning and it is reversed in the afternoon. I think it is an insult to the House.

Mr. Deputy-Speaker: Anyway, there is no point of order.

Shrimati Lakshmi Menon: I am sorry, I did not mean any insult to the House. Members do not have a very clear idea as to the capacity or the responsibility of an international organisation in these matters. Because, as I pointed out earlier, religious conversions are taking place all the time. In Pakistan, not only Hindus but even Christians are converted to Islam. In Africa, it will be noticed, that many Africans are first converted to Christianity and then converted back to Islam again,

श्री प्रकाशवीर शास्त्री : सरकार ने लोगों को आश्वासन दिया था कलकत्ते में कि जो लोग पाकिस्तान में हैं उनकी रक्षा करने की जिम्मेदारी हमारी है ।

Shrimati Lakshmi Menon: Yes, I know. The hon. Member need not remind me. I have referred to the Nehru-Liquat Pact.

श्री हुकम चन्द कछवाय (देवास) : हिन्दुओं का धर्म-परिवर्तन तो आपकी कमजोरी से हो रहा है ।

श्री बाल्मीकी (खुर्जा) : मैं एक मिनट के लिये इसमें इंटरवैन्शन करना चाहता हूं । हमारे हजारों बाल्मीकी भाई जो पश्चिमी पाकिस्तान में हैं सन् 1950 से बराबर उनका धर्म-परिवर्तन किया गया और बराबर इस सरकार की ओर से उनकी तरफ ध्यान नहीं दिया गया ।

Mr Deputy-Speaker: Order, order. He should resume his seat.

Shrimati Lakshmi Menon: What the hon. Member says is quite correct. People are being converted. I am not denying what the hon. Member is saying. The hon. Member is correct, absolutely correct—hundreds of thousands of people are being converted to Islam. But the difficulty is, how can we prove that force was used. That is my point. I can say that they must have done it even out of fear. I can say that when there is a small minority professing a different faith in the midst of a majority professing another faith, in the interests of security they might have done it, they might have opted for that faith. Whether it is forcible or voluntary, it is not possible to prove.

The seocnd point was about referring the issue to an international organisation. The only way in which we can bring this before the United Nations is to prove that this is a case of genocide, that a definite attempt has been made to eliminate or wipe out a minority community. Then, of course, it will attract the articles of the Genocide Convention. But for that we have to say and prove that whole people have been wiped out or there has been genocide. In all humility I say that conversion is not regarded as genocide. People may be deprived of their religion, people may be deprived of their way of living, but that is not regarded as genocide.

Shrimati Savitri Nigam: May I point out. . .

Shrimati Lakshmi Menon: I am not yielding. I am sorry to say that the hon. lady Member does not understand anything.

Shrimati Savitri Nigam: May I submit.....

Mr. Deputy-Speaker: Order, order. The hon. Minister is not yielding.

Shrimati Lakshmi Menon: I repeat, conversion is not regarded as genocide. The only instance of genocide in history is when Hitler tried to eliminate the entire Jewish race by force, by various kinds of torture and force. Therefore, it is not possible for us to refer this to any agency, because there is no *raison d'etre* by which we can prove that force was used and whole people were made to change their religion. It is happening in Tibet now. People have been made to change their religion. In fact....

श्री प्रकाशवीर शास्त्री : जबर्दस्ती धर्म परिवर्तन होना तो जीवित मृत्यु के बराबर है ।

Dr. M. S. Aney (Nagpur): What do you mean by saying that there is no genocide? (*Interruption*).

श्री प्रकाशवीर शास्त्री : तिब्बत में जिस ढंग से धर्म-परिवर्तन हो रहे हैं उसे आप उचित समझते हैं, यही तो शिकायत है ।

Shrimati Lakshmi Menon: Nobody seems to listen to what I am saying.

Mr. Deputy-Speaker: She is replying to the debate. You must listen to her.

Shrimati Lakshmi Menon: The only way in which.....

श्री हुकम चन्द कछवाय : मंत्री महोदय बैठे हुए हैं उनसे उत्तर दिलवाया जाय । श्री स्वर्ण सिंह इससे ज्यादा अच्छी तरह उत्तर देंगे जिससे कि हमें सन्तोष भी हो सकता है ।

Mr. Deputy-Speaker: Order, order.

Shrimati Lakshmi Menon: The only way in which this can be referred to the united Nations is by attracting the articles of the Genocide Convention. But this does not attract the articles of the Genocide Convention because there is no question of exterminating the minority or a group of people. Therefore, there is no point in the short debate raised by the hon. Member on this side.....

श्री हुकम चन्द कछवाय : यह लाखों व्यक्तियों का सवाल है, बहुत से हिन्दुओं को ईसाई बनाया जा रहा है ।

Mr. Deputy-Speaker: Order, order.

श्री हुकम चन्द कछवाय : उनसे सन्तोषजनक उत्तर तो मिल नहीं रहा है और उलटे हम से आप बराबर यह आर्डर, आर्डर कह रहे हैं ।

Shrimati Lakshmi Menon: Most of what she said was irrelevant.

श्री हुकम चन्द कछवाय : उपाध्यक्ष महोदय . . .

उपाध्यक्ष महोदय : आर्डर, आर्डर । जो वह जवाब दे रही हैं उसे सुन लें ।

श्री हुकम चन्द कछवाय : यह कोई जवाब नहीं है । श्री स्वर्ण सिंह से जवाब दिलवाइये ।

Mr. Deputy-Speaker: The House stands adjourned to meet against tomorrow at 11 O' Clock.

17.22 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, December 22, 1964/Pausa 1, 1886 (Saka).

GMGIPND—LS II—1959 (Ai) LSD— 1-1-65—970.